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No. 95

House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:
To You, O Lord, we pray.

In praying, all of us become priests who alone can lift up our personal lives on the altar of our hearts and consecrate all the words, actions, joys and sufferings of this day to You as the Lord of life. Just as all our intentions here in Congress can be dedicated to the service of the American people, especially those in most need of Your mercy and our persevering attention.

When praying we become instruments of Your spirit. You move and act within us. Help us this day to be more aware of Your presence within us and in one another.

To You, O Lord, be all glory, honor and praise today and forever.
Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Mr. CARDOZA) come forward and lead the House in the Pledge of Allegiance.

Mr. CARDOZA led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 57. An act to repeal certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands.

The message also announced that pursuant to section 276h-276k of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Texas (Mrs. HUTCHISON) as a member of the Senate Delegation to the Mexico-United States Interparliamentary Group conference for the first session of the One Hundred Tenth Congress.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 one-minute speeches on each side.

HISTORIC INCREASES IN VETERANS FUNDING

(Mr. STUPAK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Madam Speaker, when America's troops volunteer to serve our Nation, they do so believing that the government that sends them into harm's way will live up to its promise to care for them when they return home. However, as we have seen from the debacle at Walter Reed and the current backlog of 400,000 benefits claims pending at the VA, our veterans do not always receive the level of service and care they deserve.

Today, this Democratic Congress is taking a vital step in addressing these issues by bringing up a Military Construction and Veterans Affairs Appropriations bill that provides the largest increase in funding for veterans health care in the VA's 77-year history. The funding bill also allocates much-needed funding for mental health and PTSD services; additional funds for construction and modification of extended care facilities; and critical funding for the

operation and maintenance of the Armed Forces Retirement Home.

This legislation is critical to providing our Nation's veterans with the benefits their service entitles them to and gives the VA the resources necessary to ensure we meet their growing needs. It deserves strong bipartisan support today; and under Democratic leadership, they will receive it.

BORDER FENCE FUNDING

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, last year we passed the Secure Fence Act, which mandated the Department of Defense construct a fence and vehicle barriers along 800 miles of the southern border of the U.S., from California to Texas. And 283 people in this Chamber, many of them Democrats, voted to take this first step in real border security reform by funding a secure fence on our southern border.

But under a new liberal Democrat leadership, actually paying for the fence is a whole different matter. Despite the overwhelming support and a \$2.4 billion increase in the Homeland Security budget, the bill before us today actually underfunds the fence by \$187 million and ties up an additional \$700 million in bureaucratic red tape.

The question is: Why? Nothing has changed. Hundreds of thousands of illegal immigrants, drug dealers and possible terrorists continue to slip through the cracks in our southern border while we wait for the fence on the southern border.

Where are those people on the other side of the aisle that were committed to pay for this security fence last year?

Mr. Speaker, it is time to fund the fence.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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VA FUNDING HONORS COMMITMENT TO VETERANS

(Mr. ALTMIRE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALTMIRE. Mr. Speaker, after years of neglect, this House is finally going to take up a VA funding bill that honors our commitment to our Nation's veterans. In contrast to the chronic underfunding that the VA has seen in recent years, this bill that we are going to talk about today has the largest increase in VA health care spending in the 77-year history of the program.

And for the first time, this bill exceeds the recommended funding level of the service organizations, the American Legion and the VFW.

Democrats continue to demonstrate our commitment that no group should stand ahead of our Nation's veterans when it comes time to make Federal funding decisions. This bill will help us clear up the 400,000-case backlog at the VA. It is going to help us avoid issues like what happened at Walter Reed, and it will give our veterans the care that they earned and the care that they deserve.

HONORING LIEUTENANT COLONEL GEORGE BROWN

(Mr. WELLER of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELLER of Illinois. Mr. Speaker, I rise today in honor of the life of Lieutenant Colonel George Brown of Morris, Illinois, a true American patriot. Lieutenant Colonel Brown passed away at the age of 86 in his home on June 6, 2007, on the 63rd anniversary of D-Day. He served in the U.S. Army from 1942–1964, and was a World War II veteran who also served in Korea. During his service, he received a Purple Heart and a Bronze Star.

A leader in his community, Lieutenant Colonel Brown spent many years as a well-respected member of the Grundy County Board where he was known to give full dedication to his job and cared about conservation and preservation issues.

Additionally, Lieutenant Colonel Brown educated children in our community about Native Americans by portraying Chief Shabbona, the leader of the Pottawatomie Indian tribe during the Black Hawk War, who is also buried in Morris, Illinois. He instructed these children that "we are symbols of current and past history, and we represent father, grandfather, brother and the authority figure, and they expect us to do the right thing."

Lieutenant Colonel Brown is remembered as a man of conviction and a pillar in our community, and I am proud to honor him today.

HISTORIC INCREASES IN VETERANS FUNDING

(Mr. SPACE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SPACE. Mr. Speaker, today this House will debate legislation that will help us fulfill our commitment to this Nation's service men and women, their families and our veterans. The Military Construction bill that comes to the floor today was unanimously approved out of the House Appropriations Committee last week. Not one Democrat or Republican opposed the measure.

That is because it provides the largest increase in funding for veterans health care in the 77-year history of the Veterans Administration and includes other historic funding increases designed to meet the changing need of our Armed Forces.

Mr. Speaker, this bill unanimously passed out of the Appropriations Committee for a reason: it is a good bill and deserves the support of every Member of this House.

UPHOLD BORDER SECURITY FUNDS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last year House Republicans acted to stop the flow of illegal aliens into our country by passing five bills specifically addressing the current border crisis. Among these bills was the Secure Fence Act, a bill that among other things authorized more than 700 miles of two-layered reinforced fencing along the southwest border.

Sadly, this week, as the House considers the Democrat Homeland Security Appropriations bill, we find that included in this legislation is a provision allowing localities to "shut off" funding for this vital border fence.

As the debate regarding our immigration system continues to wage on, one thing we know for certain is that controlling our borders should come first to any effort we undertake. We welcome legal immigrants who follow the rule of law. But it is unfortunate Democrats are backtracking on the progress we have made. It is time to fund the fence.

In conclusion, God bless our troops and we will never forget September 11.

HISTORIC INCREASES IN VETERANS FUNDING

(Mrs. MCCARTHY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MCCARTHY of New York. Mr. Speaker, for far too long our veterans have been left behind. In fact, last year the Republican Congress and the Bush administration proposed cutting fund-

ing for the operation and maintenance of veterans' medical facilities by \$464 million. Earlier this year, we saw the effects of these budget cuts manifested in the conditions of Walter Reed Hospital and other VA hospitals across the country.

Fortunately, this new Democratic Congress has a different set of priorities. We allocate the largest increase in funding for veterans health care in history, and we do it in a fiscally responsible way that does not produce budget deficits down the line.

The 2008 MILCON and Veterans Affairs Appropriations bill includes \$70 million more than the President requested for veterans substance abuse programs, \$69 million more than he requested for medical and prosthetic research, and \$127 million more to address the 400,000-deep backlog of veterans benefits claims.

Mr. Speaker, we are finally keeping our promise to our veterans, not only to the veterans serving in Iraq and Afghanistan today, but all veterans.

□ 1015

EARMARK REFORM

(Mr. DAVIS of Kentucky asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Kentucky. Mr. Speaker, during the 109th Congress, Republicans enacted historic earmarking reforms that allowed Members to challenge and debate wasteful earmarks contained in spending bills on the House floor. This was a good step towards increased accountability and transparency in the earmarking process.

Last fall, Democrats campaigned on a pledge to make this the most ethical Congress in history. But, as they headed into their first appropriations season, we're confronted with the reality of their reforms. It seems that instead of increasing sunshine on how Congress is spending the American people's money, they prefer to create massive secret funds for earmarks that will be inserted into the bill after the votes have been taken on legislation.

And what is perhaps most egregious is the fact that they won't even let these earmarks, which are paid for with the American people's hard-earned tax dollars, be debated in the people's House.

This is not the most ethical Congress in history. This is a sham.

DEMOCRATS HAVE DIFFERENT FISCAL PRIORITIES THAN PRESIDENT BUSH AND SOME REPUBLICANS

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SHEA-PORTER. Mr. Speaker, President Bush claims there are important differences between Democrats

and Republicans when it comes to spending and he is right. For 6 long years, President Bush and the Republican rubber-stamp Congress slashed budgets in critical areas such as health care, college aid and support for our veterans.

For years, Republicans have cut veterans health care funding and budgeted billions less than they need. Last year, Republicans failed to even pass a bill to fund the Department of Veterans Affairs. Imagine that, did not even pass a bill.

After 6 years of Republican damage, Democrats will do things differently. This week, we begin to invest in America's priorities, and we're fiscally responsible.

While President Bush and the Republican Congress ignored the needs of America's veterans, the Democratic House will bring a bill to the floor that includes the largest increase in funding for veterans health care in the 77-year history of the VA.

Today, I would hope that this entire House would support our veterans by supporting this bill. It is long overdue, but the Democrats intend to deliver like our troops deserve.

WE HAVE A RESPONSIBILITY TO SHOW TAXPAYERS HOW THEIR MONEY IS BEING SPENT

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, the very first reform passed by the new majority in the 110th Congress was a rule to create transparency publicizing projects earmarked for Federal money. Now the majority party is suggesting to the American people that it's okay to bury these earmarks in conference bills, which we know cannot be amended or challenged in any way.

Republicans last year brought more sunshine and transparency into this process, and instead of building on that, as promised by this new majority, Congress is taking a giant step backwards.

As a member of the House Budget Committee, I'm highly concerned that waiting until the very end of the law-making process to hide pork barrel spending is the simplest way to create a slush fund in the budget. This way of spending will lose America's trust.

Mr. Speaker, Americans have trusted us to spend their taxpayer money wisely and honestly. We have a responsibility to show them exactly how their money is being spent and defend it on the House floor.

DEMOCRATS SET TO APPROVE FOUR APPROPRIATIONS BILLS THIS WEEK THAT SET RIGHT PRIORITIES

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Speaker, this week the House should approve four appropriations bills that set the right priorities for our Nation and do it in a fiscally responsible manner.

Yesterday, we debated the homeland security bill, and we'll continue today, but we should make the public aware that beyond the issues that we seem to be distracted by, the main point about the homeland security bill is that it strengthens our borders by providing funds for 3,000 additional border patrol agents. It also prioritizes the need of our first responders while doubling the amount of cargo that will be screened at our airports.

Democrats are going to bring a veterans and a military construction bill to the floor that includes the largest increase in veterans health care funding in the 77-year history of the Veterans Administration.

We will also be bringing to the floor the Energy and Water and Interior appropriations bills. Now the Democrats will address the important issue of global warming in those bills. These bills also show that, as Democrats, we recognize what a serious problem that is.

Mr. Speaker, I want to emphasize, these bills were approved in committee with strong bipartisan support. They should receive that same kind of support here on the House floor.

OPENNESS AND TRANSPARENCY IN THE HOUSE

(Mr. GARRETT of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. GARRETT of New Jersey. Mr. Speaker, as we come today, it marks the one-quarter mark into the 110th Congress under now the new leadership of the Democrat leadership.

And what has this leadership wrought for the American public? During this time, firstly, the largest tax increase on the American family in U.S. history; secondly, a breaking of the rules, a breaking of the rules and the promises of transparency and openness that they made to the American public and that the GOP, the Republicans, began to initiate in the last Congress; and finally, we learned last night from this new majority, they bring to us slush funds, slush funds under the direction of one man on the other side done at the late end of night to control billions of dollars.

The Homeland Security bill that we were debating last night and will be debating today is too important to trivialize in this manner. It is too important to the American public, and it is too important to my constituents in the 5th Congressional District of New Jersey who live in the shadows of the World Trade Center.

Mr. Speaker, this past November election, the American public has spoken. They say they want openness, they want transparency. We demand it of this House.

HOW MUCH WORSE DO THINGS HAVE TO GET AT JUSTICE BEFORE REPUBLICANS HOLD HIM ACCOUNTABLE?

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, just how bad do things have to get at the Justice Department before congressional Republicans say enough is enough?

On Monday, Senate Democrats tried to bring up a vote of no confidence in Attorney General Alberto Gonzales. While seven Republicans supported an effort to allow for an up-or-down vote, the rest of the Senate Republican Caucus blocked it procedurally.

Are my Republican colleagues serious? Do they actually believe, despite all the evidence to the contrary, that this Attorney General can continue to serve as the Nation's leading law enforcement officer?

Let's not forget that Gonzales still does not remember why he fired eight U.S. attorneys last year. Nor should we forget that Gonzales tried to pressure then-Attorney General Ashcroft into signing off on the secret telephone surveillance program while Ashcroft sat in a hospital bed preparing for surgery.

Mr. Speaker, Democrats are restoring real accountability to Washington, but it would be nice if we could get a little help from our Republican friends.

CONGRESSIONAL PRAYER CAUCUS

(Mr. FORBES asked and was given permission to address the House for 1 minute.)

Mr. FORBES. Mr. Speaker, I rise today as a member of the Congressional Prayer Caucus to formally acknowledge the importance of prayer in American life and history.

Today, I remind my colleagues, constituents and country of our need for prayer by reading a portion of the words offered on the floor of the United States Senate on June 13, 1947, by Peter Marshall. Mr. Marshall prayed:

"God of our fathers, in whose name this Republic was born, we pray that by Thy help we may be worthy to receive Thy blessings upon our labors.

"In this world where men have made deceit a habit, lying an art, and cruelty a science, help us to show the moral superiority of the way of life we cherish. Here may men see truth upheld, honesty loved and kindness practiced.

"We do not pray that other Nations may love us, but that they may know that we stand for what is right, unafraid, with the courage of our convictions.

"May our private lives and our public actions be consistent with our prayers.

"Through Jesus Christ our Lord. Amen."

PROSECUTOR GONE WILD

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, North Carolina District Attorney Michael Nifong finds himself the accused and not the accuser this week. It seems his overzealous desire to make headlines by appealing to political pandering and making false allegations against three innocent Duke University lacrosse players has landed him in trouble.

The State Bar Association charged Nifong with making outlandish prejudicial public comments against the players and hiding evidence, and they want him disbarred.

Independent special prosecutors have found the sexual assault charges against the players to be unfounded, but Prosecutor Nifong tried to put them in jail anyway.

The mere accusation of sexual assault, even when false, can ruin an individual.

The role of the prosecutor is to seek, not convictions.

Rouge D.A. Nifong is yet another example of a prosecutor gone wild and an abuser of power. If the allegations against him are true, he joins the wall of shame and should never be allowed near the courthouse again, except maybe as a defendant.

Because justice is the one thing we should always find.

And that's just the way it is.

SECRECY AND NEGLECT REPLACE EARMARK TRANSPARENCY

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I rise today to make a pledge to the American people. I pledge to fight secrecy in the Federal spending process. It seems that some Democratic lawmakers would like to keep earmarks in spending bills secret until August, months after the House votes on the bills that will contain the requests.

By air-dropping these earmarks in at the last minute, my Democratic colleagues are effectively cutting off debate on potentially wasteful or controversial items.

Instead of the transparency and accountability they promised, the Democrats' spending bills will essentially include a slush fund for billions of dollars in earmarks hidden from public scrutiny. I honestly can't believe it. These taxpayer-backed slush funds will fund earmarks without actually putting them into the bills before the House votes.

This is dangerous turf. Americans don't want more secrecy; they want less. As the Baltimore Sun wrote yesterday, the Democrats' new rules have "made the process exponentially worse."

Mr. Speaker, we must restore accountability to the process lest the path to corruption is paved smooth by secrecy and neglect.

WHILE THE SPEAKER SLEEPS

(Mr. MCHENRY asked and was given permission to address the House for 1 minute.)

Mr. MCHENRY. Mr. Speaker, people around the Nation may be wondering why the Speaker slept as we debated Democrat overspending and earmarks until 2 in the morning. But the Speaker slept.

If last night were about pure partisan politics, we probably would have turned in early, but for House Republicans it was a matter of principle. That's why we stayed here and debated and fought the Democrat overspending plan and their secret earmarks and secret slush funds.

And moreover, the American people expect a couple of basic things from their government. They expect to be protected, they expect politicians to be wise with their tax dollars, and they expect government to stay out of their way. And they expect us to accomplish this in an open and fair way. But maybe that was asking too much for the new majority, Mr. Speaker.

So when people ask where were you last night, I will proudly say I was standing with my Republican brethren and the House Republicans fighting the Democrats overspending, all while the Speaker slept.

CONGRESS' APPROVAL RATING

(Mrs. DRAKE asked and was given permission to address the House for 1 minute.)

Mrs. DRAKE. Mr. Speaker, Americans are growing frustrated. A recent Los Angeles Times poll placed Congress' approval ratings at the lowest point they have been in a decade, 27 percent down from 36 percent in January. And based on the many calls that my office receives every day, that frustration is largely embodied in the immigration issue.

Specifically, for the last 2 weeks, I have received numerous calls from my constituents asking where is the border fence. Well, Mr. Speaker, that's a good question. Where is the border fence? Last night and early this morning, while this Chamber was debating a Homeland Security funding bill, that contains no funding specifically for fencing, hundreds of people were able to make their way across the border or were trafficked into America.

And while we would like to believe that every single person made their way in order to seek out a better life for themselves or their family, we know that is not always the case. Some, as evidenced by the plot to attack Fort Dix, are here to harm us.

I would impress upon the majority to do the right thing.

WE MUST SEIZE THE OPPORTUNITY TO ENACT REAL REFORM

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, let me read you a line from today's Wall Street Journal: "The latest Los Angeles Times-Bloomberg survey finds that Congress' approval rating is down to 27 percent, with 63 percent of the public saying Democrats are practicing 'business as usual.'"

The frustration of the American people is real and growing. Every weekend I hear it in the voices of my constituents, regardless of their affiliation.

Almost all south central Michiganders have the same message: control runaway government spending, maintain the highest of ethical standards, and put an end to wasteful pork barrel spending.

The actions of Congress this week not only continue the culture of corruption currently plaguing the capital city, but also are an insult to an American public that longs for transparency and accountability.

Together, Democrats and Republicans must seize this opportunity and use it to enact real reform that values how taxpayer dollars are being spent.

I believe that by limiting the size and scope of government and making certain taxpayer dollars go to meaningful programs, Congress can restore public trust and build a better, brighter future for our country.

□ 1030

THE OBEY RULE

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, last night, we were informed over and over again by the other side of the aisle that we were supposed to follow what's become known as the Obey rule, O-b-e-y. Now, out west where I come from, that's pronounced "obey."

So I looked up in the dictionary to see what o-b-e-y means, and it's from middle English and old French, and it means to carry out or fulfill the command, order and instruction of, to carry out or comply with the command, or to behave obediently. That's the problem.

We have been told that we are supposed to obey, that is, behave obediently at the whim of the chairman of the Committee on Appropriations and their staff.

I was not elected to obey anybody here. I was elected here to represent the people of the Third Congressional District of California. That's what the debate was about last night. That's what the debate will be about today, and that's what the debate will be about for the rest of the appropriations cycle.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CARDOZA). Pursuant to clause 8 of rule

XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

NICS IMPROVEMENT AMENDMENTS ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2640) to improve the National Instant Criminal Background Check System, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2640

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “NICS Improvement Amendments Act of 2007”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.

TITLE I—TRANSMITTAL OF RECORDS

- Sec. 101. Enhancement of requirement that Federal departments and agencies provide relevant information to the National Instant Criminal Background Check System.
- Sec. 102. Requirements to obtain waiver.
- Sec. 103. Implementation assistance to States.
- Sec. 104. Penalties for noncompliance.
- Sec. 105. Relief from disabilities program required as condition for participation in grant programs.

TITLE J—FOCUSING FEDERAL ASSISTANCE ON THE IMPROVEMENT OF RELEVANT RECORDS

- Sec. 201. Continuing evaluations.

TITLE K—GRANTS TO STATE COURT SYSTEMS FOR THE IMPROVEMENT IN AUTOMATION AND TRANSMITTAL OF DISPOSITION RECORDS

- Sec. 301. Disposition records automation and transmittal improvement grants.

TITLE L—GAO AUDIT

- Sec. 401. GAO audit.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Approximately 916,000 individuals were prohibited from purchasing a firearm for failing a background check between November 30, 1998, (the date the National Instant Criminal Background Check System (NICS) began operating) and December 31, 2004.

(2) From November 30, 1998, through December 31, 2004, nearly 49,000,000 Brady background checks were processed through NICS.

(3) Although most Brady background checks are processed through NICS in seconds, many background checks are delayed if the Federal Bureau of Investigation (FBI) does not have automated access to complete information from the States concerning persons prohibited from possessing or receiving a firearm under Federal or State law.

(4) Nearly 21,000,000 criminal records are not accessible by NICS and millions of criminal records are missing critical data, such as arrest dispositions, due to data backlogs.

(5) The primary cause of delay in NICS background checks is the lack of—

(A) updates and available State criminal disposition records; and

(B) automated access to information concerning persons prohibited from possessing or receiving a firearm because of mental illness, restraining orders, or misdemeanor convictions for domestic violence.

(6) Automated access to this information can be improved by—

(A) computerizing information relating to criminal history, criminal dispositions, mental illness, restraining orders, and misdemeanor convictions for domestic violence; or

(B) making such information available to NICS in a usable format.

(7) Helping States to automate these records will reduce delays for law-abiding gun purchasers.

(8) On March 12, 2002, the senseless shooting, which took the lives of a priest and a parishioner at the Our Lady of Peace Church in Lynbrook, New York, brought attention to the need to improve information-sharing that would enable Federal and State law enforcement agencies to conduct a complete background check on a potential firearm purchaser. The man who committed this double murder had a prior disqualifying mental health commitment and a restraining order against him, but passed a Brady background check because NICS did not have the necessary information to determine that he was ineligible to purchase a firearm under Federal or State law.

SEC. 3. DEFINITIONS.

As used in this Act, the following definitions shall apply:

(1) **COURT ORDER.**—The term “court order” includes a court order (as described in section 922(g)(8) of title 18, United States Code).

(2) **MENTAL HEALTH TERMS.**—The terms “adjudicated as a mental defective”, “committed to a mental institution”, and related terms have the meanings given those terms in regulations implementing section 922(g)(4) of title 18, United States Code, as in effect on the date of the enactment of this Act.

(3) **MISDEMEANOR CRIME OF DOMESTIC VIOLENCE.**—The term “misdemeanor crime of domestic violence” has the meaning given the term in section 921(a)(33) of title 18, United States Code.

TITLE I—TRANSMITTAL OF RECORDS

SEC. 101. ENHANCEMENT OF REQUIREMENT THAT FEDERAL DEPARTMENTS AND AGENCIES PROVIDE RELEVANT INFORMATION TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

(a) **IN GENERAL.**—Section 103(e)(1) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) by striking “Notwithstanding” and inserting the following:

“(A) **IN GENERAL.**—Notwithstanding”;

(2) by striking “On request” and inserting the following:

“(B) **REQUEST OF ATTORNEY GENERAL.**—On request”;

(3) by striking “furnish such information” and inserting “furnish electronic versions of the information described under subparagraph (A)”;

(4) by adding at the end the following:

“(C) **QUARTERLY SUBMISSION TO ATTORNEY GENERAL.**—If a department or agency under subparagraph (A) has any record of any person demonstrating that the person falls within one of the categories described in subsection (g) or (n) of section 922 of title 18, United States Code, the head of such department or agency shall, not less frequently than quarterly, provide the pertinent information contained in such record to the Attorney General.

“(D) **INFORMATION UPDATES.**—The agency, on being made aware that the basis under which a record was made available under subparagraph (A) does not apply, or no longer applies, shall—

“(i) update, correct, modify, or remove the record from any database that the agency maintains and makes available to the Attorney General, in accordance with the rules pertaining to that database; or

“(ii) notify the Attorney General that such basis no longer applies so that the National Instant Criminal Background Check System is kept up to date.

“(E) **ANNUAL REPORT.**—The Attorney General shall submit an annual report to Congress that describes the compliance of each department or agency with the provisions of this paragraph.”.

(b) PROVISION AND MAINTENANCE OF NICS RECORDS.—

(1) **DEPARTMENT OF HOMELAND SECURITY.**—The Secretary of Homeland Security shall make available to the Attorney General—

(A) records, updated not less than quarterly, which are relevant to a determination of whether a person is disqualified from possessing or receiving a firearm under subsection (g) or (n) of section 922 of title 18, United States Code, for use in background checks performed by the National Instant Criminal Background Check System; and

(B) information regarding all the persons described in subparagraph (A) of this paragraph who have changed their status to a category not identified under section 922(g)(5) of title 18, United States Code, for removal, when applicable, from the National Instant Criminal Background Check System.

(2) **DEPARTMENT OF JUSTICE.**—The Attorney General shall—

(A) ensure that any information submitted to, or maintained by, the Attorney General under this section is kept accurate and confidential, as required by the laws, regulations, policies, or procedures governing the applicable record system;

(B) provide for the timely removal and destruction of obsolete and erroneous names and information from the National Instant Criminal Background Check System; and

(C) work with States to encourage the development of computer systems, which would permit electronic notification to the Attorney General when—

(i) a court order has been issued, lifted, or otherwise removed by order of the court; or

(ii) a person has been adjudicated as mentally defective or committed to a mental institution.

(c) **STANDARD FOR ADJUDICATIONS, COMMITMENTS, AND DETERMINATIONS RELATED TO MENTAL HEALTH.**—

(1) **IN GENERAL.**—No department or agency of the Federal Government may provide to the Attorney General any record of an adjudication or determination related to the mental health of a person, or any commitment of a person to a mental institution if—

(A) the adjudication, determination, or commitment, respectively, has been set aside or expunged, or the person has otherwise been fully released or discharged from all mandatory treatment, supervision, or monitoring;

(B) the person has been found by a court, board, commission, or other lawful authority to no longer suffer from the mental health condition that was the basis of the adjudication, determination, or commitment, respectively, or has otherwise been found to be rehabilitated through any procedure available under law; or

(C) the adjudication, determination, or commitment, respectively, is based solely on a medical finding of disability, without a finding that the person is a danger to himself

or to others or that the person lacks the mental capacity to manage his own affairs.

(2) TREATMENT OF CERTAIN ADJUDICATIONS, DETERMINATIONS, AND COMMITMENTS.—

(A) PROGRAM FOR RELIEF FROM DISABILITIES.—Each department or agency of the United States that makes any adjudication or determination related to the mental health of a person or imposes any commitment to a mental institution, as described in subsection (d)(4) and (g)(4) of section 922 of title 18, United States Code, shall establish a program that permits such a person to apply for relief from the disabilities imposed by such subsections. Relief and judicial review shall be available according to the standards prescribed in section 925(c) of title 18, United States Code.

(B) RELIEF FROM DISABILITIES.—In the case of an adjudication or determination related to the mental health of a person or a commitment of a person to a mental institution, a record of which may not be provided to the Attorney General under paragraph (1), including because of the absence of a finding described in subparagraph (C) of such paragraph, or from which a person has been granted relief under a program established under subparagraph (A), the adjudication, determination, or commitment, respectively, shall be deemed not to have occurred for purposes of subsections (d)(4) and (g)(4) of section 922 of title 18, United States Code.

(d) INFORMATION EXCLUDED FROM NICS RECORDS.—

(1) IN GENERAL.—No department or agency of the Federal Government may make available to the Attorney General, for use by the National Instant Criminal Background Check System (nor may the Attorney General make available to such system), the name or any other relevant identifying information of any person adjudicated or determined to be mentally defective or any person committed to a mental institution for purposes of assisting the Attorney General in enforcing subsections (d)(4) and (g)(4) of section 922 of title 18, United States Code, unless such adjudication, determination, or commitment, respectively, included a finding that the person is a danger to himself or to others or that the person lacks the mental capacity to manage his own affairs.

(2) EFFECTIVE DATE.—Paragraph (1) shall apply to names and other information provided before, on, or after the date of the enactment of this Act. Any name or information provided in violation of paragraph (1) before such date shall be removed from the National Instant Criminal Background Check System.

SEC. 102. REQUIREMENTS TO OBTAIN WAIVER.

(a) IN GENERAL.—Beginning 3 years after the date of the enactment of this Act, a State shall be eligible to receive a waiver of the 10 percent matching requirement for National Criminal History Improvement Grants under the Crime Identification Technology Act of 1988 (42 U.S.C. 14601) if the State provides at least 90 percent of the information described in subsection (c). The length of such a waiver shall not exceed 2 years.

(b) STATE ESTIMATES.—

(1) INITIAL STATE ESTIMATE.—

(A) IN GENERAL.—To assist the Attorney General in making a determination under subsection (a) of this section, and under section 104, concerning the compliance of the States in providing information to the Attorney General for the purpose of receiving a waiver under subsection (a) of this section, or facing a loss of funds under section 104, by a date not later than 180 days after the date of the enactment of this Act, each State shall provide the Attorney General with a reasonable estimate, as calculated by a method determined by the Attorney General,

of the number of the records described in subparagraph (C) applicable to such State that concern persons who are prohibited from possessing or receiving a firearm under subsection (g) or (n) of section 922 of title 18, United States Code.

(B) FAILURE TO PROVIDE INITIAL ESTIMATE.—A State that fails to provide an estimate described in subparagraph (A) by the date required under such subparagraph shall be ineligible to receive any funds under section 103, until such date as it provides such estimate to the Attorney General.

(C) RECORD DEFINED.—For purposes of subparagraph (A), a record is the following:

(i) A record that identifies a person arrested for a crime that is punishable by imprisonment for a term exceeding one year, and for which a record of final disposition is available electronically or otherwise.

(ii) A record that identifies a person for whose arrest a warrant or process has been issued that is valid under the laws of the State involved, as of the date of the estimate.

(iii) A record that identifies a person who is an unlawful user of or addicted to a controlled substance (as such terms “unlawful user” and “addicted” are respectively defined in regulations implementing section 922(g)(3) of title 18, United States Code, as in effect on the date of the enactment of this Act) and whose record is not protected from disclosure to the Attorney General under any provision of State or Federal law.

(iv) A record that identifies a person who has been adjudicated mentally defective or committed to a mental institution (as determined in regulations implementing section 922(g)(4) of title 18, United States Code, as in effect on the date of the enactment of this Act) and whose record is not protected from disclosure to the Attorney General under any provision of State or Federal law.

(v) A record that is electronically available and that identifies a person who, as of the date of such estimate, is subject to a court order described in section 922(g)(8) of title 18, United States Code.

(vi) A record that is electronically available and that identifies a person convicted in any court of a misdemeanor crime of domestic violence, as defined in section 921(a)(33) of title 18, United States Code.

(2) SCOPE.—The Attorney General, in determining the compliance of a State under this section or section 104 of this Act for the purpose of granting a waiver or imposing a loss of Federal funds, shall assess the total percentage of records provided by the State concerning any event occurring within the prior 30 years, which would disqualify a person from possessing a firearm under subsection (g) or (n) of section 922 of title 18, United States Code.

(3) CLARIFICATION.—Notwithstanding paragraph (2), States shall endeavor to provide the National Instant Criminal Background Check System with all records concerning persons who are prohibited from possessing or receiving a firearm under subsection (g) or (n) of section 922 of title 18, United States Code, regardless of the elapsed time since the disqualifying event.

(c) ELIGIBILITY OF STATE RECORDS FOR SUBMISSION TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—

(1) REQUIREMENTS FOR ELIGIBILITY.—

(A) IN GENERAL.—From information collected by a State, the State shall make electronically available to the Attorney General records relevant to a determination of whether a person is disqualified from possessing or receiving a firearm under subsection (g) or (n) of section 922 of title 18, United States Code, or applicable State law.

(B) NICS UPDATES.—The State, on being made aware that the basis under which a

record was made available under subparagraph (A) does not apply, or no longer applies, shall, as soon as practicable—

(i) update, correct, modify, or remove the record from any database that the Federal or State government maintains and makes available to the National Instant Criminal Background Check System, consistent with the rules pertaining to that database; or

(ii) notify the Attorney General that such basis no longer applies so that the record system in which the record is maintained is kept up to date.

(C) CERTIFICATION.—To remain eligible for a waiver under subsection (a), a State shall certify to the Attorney General, not less than once during each 2-year period, that at least 90 percent of all information described in subparagraph (A) has been made electronically available to the Attorney General in accordance with subparagraph (A).

(D) INCLUSION OF ALL RECORDS.—For purposes of this paragraph, a State shall identify and include all of the records described under subparagraph (A) without regard to the age of the record.

(2) APPLICATION TO PERSONS CONVICTED OF MISDEMEANOR CRIMES OF DOMESTIC VIOLENCE.—The State shall make available to the Attorney General, for use by the National Instant Criminal Background Check System, records relevant to a determination of whether a person has been convicted in any court of a misdemeanor crime of domestic violence. With respect to records relating to such crimes, the State shall provide information specifically describing the offense and the specific section or subsection of the offense for which the defendant has been convicted and the relationship of the defendant to the victim in each case.

(3) APPLICATION TO PERSONS WHO HAVE BEEN ADJUDICATED AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION.—The State shall make available to the Attorney General, for use by the National Instant Criminal Background Check System, the name and other relevant identifying information of persons adjudicated as mentally defective or those committed to mental institutions to assist the Attorney General in enforcing section 922(g)(4) of title 18, United States Code.

(d) PRIVACY PROTECTIONS.—For any information provided to the Attorney General for use by the National Instant Criminal Background Check System, relating to persons prohibited from possessing or receiving a firearm under section 922(g)(4) of title 18, United States Code, the Attorney General shall work with States and local law enforcement and the mental health community to establish regulations and protocols for protecting the privacy of information provided to the system. The Attorney General shall make every effort to meet with any mental health group seeking to express its views concerning these regulations and protocols and shall seek to develop regulations as expeditiously as practicable.

(e) ATTORNEY GENERAL REPORT.—Not later than January 31 of each year, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the progress of States in automating the databases containing the information described in subsection (b) and in making that information electronically available to the Attorney General pursuant to the requirements of subsection (c).

SEC. 103. IMPLEMENTATION ASSISTANCE TO STATES.

(a) AUTHORIZATION.—

(1) IN GENERAL.—From amounts made available to carry out this section and subject to section 102(b)(1)(B), the Attorney

General shall make grants to States and Indian tribal governments, in a manner consistent with the National Criminal History Improvement Program, which shall be used by the States and Indian tribal governments, in conjunction with units of local government and State and local courts, to establish or upgrade information and identification technologies for firearms eligibility determinations.

(2) **GRANTS TO INDIAN TRIBES.**—Up to 5 percent of the grant funding available under this section may be reserved for Indian tribal governments, including tribal judicial systems.

(b) **USE OF GRANT AMOUNTS.**—Grants awarded to States or Indian tribes under this section may only be used to—

(1) create electronic systems, which provide accurate and up-to-date information which is directly related to checks under the National Instant Criminal Background Check System (referred to in this section as “NICS”), including court disposition and corrections records;

(2) assist States in establishing or enhancing their own capacities to perform NICS background checks;

(3) supply accurate and timely information to the Attorney General concerning final dispositions of criminal records to databases accessed by NICS;

(4) supply accurate and timely information to the Attorney General concerning the identity of persons who are prohibited from obtaining a firearm under section 922(g)(4) of title 18, United States Code, to be used by the Federal Bureau of Investigation solely to conduct NICS background checks;

(5) supply accurate and timely court orders and records of misdemeanor crimes of domestic violence for inclusion in Federal and State law enforcement databases used to conduct NICS background checks; and

(6) collect and analyze data needed to demonstrate levels of State compliance with this Act.

(c) **ELIGIBILITY.**—To be eligible for a grant under this section, a State shall certify, to the satisfaction of the Attorney General, that the State has implemented a relief from disabilities program in accordance with section 105.

(d) **CONDITION.**—As a condition of receiving a grant under this section, a State shall specify the projects for which grant amounts will be used, and shall use such amounts only as specified. A State that violates this subsection shall be liable to the Attorney General for the full amount of the grant received under this section.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$250,000,000 for each of the fiscal years 2008 through 2010.

(f) **USER FEE.**—The Federal Bureau of Investigation shall not charge a user fee for background checks pursuant to section 922(t) of title 18, United States Code.

SEC. 104. PENALTIES FOR NONCOMPLIANCE.

(a) **ATTORNEY GENERAL REPORT.**—

(1) **IN GENERAL.**—Not later than January 31 of each year, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the progress of the States in automating the databases containing information described under sections 102 and 103, and in providing that information pursuant to the requirements of sections 102 and 103.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Department of Justice, such funds as may be necessary to carry out paragraph (1).

(b) **PENALTIES.**—

(1) **DISCRETIONARY REDUCTION.**—During the 2-year period beginning 3 years after the date

of enactment of this Act, the Attorney General may withhold not more than 3 percent of the amount that would otherwise be allocated to a State under section 506 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3756) if the State provides less than 60 percent of the information required to be provided under sections 102 and 103.

(2) **MANDATORY REDUCTION.**—After the expiration of the period referred to in paragraph (1), the Attorney General shall withhold 5 percent of the amount that would otherwise be allocated to a State under section 506 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3756), if the State provides less than 90 percent of the information required to be provided under sections 102 and 103.

(3) **WAIVER BY ATTORNEY GENERAL.**—The Attorney General may waive the applicability of paragraph (2) to a State if the State provides substantial evidence, as determined by the Attorney General, that the State is making a reasonable effort to comply with the requirements of sections 102 and 103.

(c) **REALLOCATION.**—Any funds that are not allocated to a State because of the failure of the State to comply with the requirements of this title shall be reallocated to States that meet such requirements.

SEC. 105. RELIEF FROM DISABILITIES PROGRAM REQUIRED AS CONDITION FOR PARTICIPATION IN GRANT PROGRAMS.

(a) **PROGRAM DESCRIBED.**—A relief from disabilities program is implemented by a State in accordance with this section if the program—

(1) permits a person who, pursuant to State law, has been adjudicated as described in subsection (g)(4) of section 922 of title 18, United States Code, or has been committed to a mental institution, to apply to the State for relief from the disabilities imposed by subsections (d)(4) and (g)(4) of such section by reason of the adjudication or commitment;

(2) provides that a State court, board, commission, or other lawful authority shall grant the relief, pursuant to State law and in accordance with the principles of due process, if the circumstances regarding the disabilities referred to in paragraph (1), and the person's record and reputation, are such that the person will not be likely to act in a manner dangerous to public safety and that the granting of the relief would not be contrary to the public interest; and

(3) permits a person whose application for the relief is denied to file a petition with the State court of appropriate jurisdiction for a de novo judicial review of the denial.

(b) **AUTHORITY TO PROVIDE RELIEF FROM CERTAIN DISABILITIES WITH RESPECT TO FIREARMS.**—If, under a State relief from disabilities program implemented in accordance with this section, an application for relief referred to in subsection (a)(1) of this section is granted with respect to an adjudication or a commitment to a mental institution, the adjudication or commitment, as the case may be, is deemed not to have occurred for purposes of subsections (d)(4) and (g)(4) of section 922 of title 18, United States Code.

TITLE J—FOCUSING FEDERAL ASSISTANCE ON THE IMPROVEMENT OF REL- EVANT RECORDS

SEC. 201. CONTINUING EVALUATIONS.

(a) **EVALUATION REQUIRED.**—The Director of the Bureau of Justice Statistics (referred to in this section as the “Director”) shall study and evaluate the operations of the National Instant Criminal Background Check System. Such study and evaluation shall include compilations and analyses of the operations and record systems of the agencies and organizations necessary to support such System.

(b) **REPORT ON GRANTS.**—Not later than January 31 of each year, the Director shall

submit to Congress a report containing the estimates submitted by the States under section 102(b).

(c) **REPORT ON BEST PRACTICES.**—Not later than January 31 of each year, the Director shall submit to Congress, and to each State participating in the National Criminal History Improvement Program, a report of the practices of the States regarding the collection, maintenance, automation, and transmittal of information relevant to determining whether a person is prohibited from possessing or receiving a firearm by Federal or State law, by the State or any other agency, or any other records relevant to the National Instant Criminal Background Check System, that the Director considers to be best practices.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2008 through 2010 to complete the studies, evaluations, and reports required under this section.

TITLE K—GRANTS TO STATE COURT SYSTEMS FOR THE IMPROVEMENT IN AUTOMATION AND TRANSMITTAL OF DISPOSITION RECORDS

SEC. 301. DISPOSITION RECORDS AUTOMATION AND TRANSMITTAL IMPROVEMENT GRANTS.

(a) **GRANTS AUTHORIZED.**—From amounts made available to carry out this section, the Attorney General shall make grants to each State, consistent with State plans for the integration, automation, and accessibility of criminal history records, for use by the State court system to improve the automation and transmittal of criminal history dispositions, records relevant to determining whether a person has been convicted of a misdemeanor crime of domestic violence, court orders, and mental health adjudications or commitments, to Federal and State record repositories in accordance with sections 102 and 103 and the National Criminal History Improvement Program.

(b) **GRANTS TO INDIAN TRIBES.**—Up to 5 percent of the grant funding available under this section may be reserved for Indian tribal governments for use by Indian tribal judicial systems.

(c) **USE OF FUNDS.**—Amounts granted under this section shall be used by the State court system only—

(1) to carry out, as necessary, assessments of the capabilities of the courts of the State for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories; and

(2) to implement policies, systems, and procedures for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories.

(d) **ELIGIBILITY.**—To be eligible to receive a grant under this section, a State shall certify, to the satisfaction of the Attorney General, that the State has implemented a relief from disabilities program in accordance with section 105.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Attorney General to carry out this section \$125,000,000 for each of the fiscal years 2008 through 2010.

TITLE L—GAO AUDIT

SEC. 401. GAO AUDIT.

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct an audit of the expenditure of all funds appropriated for criminal records improvement pursuant to section 106(b) of the Brady Handgun Violence Prevention Act (Public Law 103-159) to

determine if the funds were expended for the purposes authorized by the Act and how those funds were expended for those purposes or were otherwise expended.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Comptroller General shall submit a report to Congress describing the findings of the audit conducted pursuant to subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

The legislation before us today makes important changes to the National Instant Criminal Background Check System designed to help States identify and prevent convicted felons and other dangerous individuals from owning firearms.

As it currently stands, millions of criminal records are not accessible by the instant check system. Millions of additional records fall through the cracks as a result of backlogs and other problems.

The measure before us now will help cure these problems by providing the resources and incentives needed to modernize the system and ensure that the records are up to date.

Instant check improvements legislation has passed through the Judiciary Committee and this House each of the last two Congresses, only to die in the other body, and was on our agenda for the 110th Congress as well.

The need to move legislation was recently highlighted by the tragic Virginia Tech shootings. At the end of that fateful day in April, the alleged gunman, Cho Seung-Hui, had taken a total of 32 lives, wounded an additional 26 individuals. In addition, countless numbers of family members and loved ones of these students and teachers lives were forever changed.

By improving and enhancing the instant check system, the idea is that we will be able to prevent future tragedies where we know the individual should not own a gun.

In order to move the legislation to the floor, it was necessary to make some accommodations to incorporate the concerns of gun owners. The dean of the Congress, among other things, led this effort. Among the things that were changed is section 105 of the bill, which requires all States to adopt a procedure allowing those individuals who have been determined to suffer from a mental illness with an oppor-

tunity to purchase or possess a firearm at some point later in life. That's a pretty serious matter.

Section 101 of the bill automatically restores the gun rights of military personnel who have been previously diagnosed with a mental illness, provided they are no longer undergoing any treatment or monitoring.

I have a concern, as you may be able to tell, that these changes to current law may inadvertently permit certain individuals who should not own guns the opportunity to purchase them. As a result, I will be closely monitoring these sections to ascertain if they do, indeed, create an unnecessary loophole.

If they do, I will be the first one back on this floor asking the Congress to remedy the situation.

I thank CAROLYN MCCARTHY of New York; the dean of the Congress, JOHN DINGELL of Michigan, for their extraordinary work in this matter. I know that they are busy on their own committees, and I appreciate them helping the Committee on the Judiciary figure out how to do this.

The time to provide their input on this matter, which falls squarely within the Committee on the Judiciary's jurisdiction, is appreciated. It is truly tragic that violent felons, and even madmen, are able to evade the legal system and acquire guns which do us harm.

Anything which helps update the instant check system is a step forward in our fight against needless and senseless gun violence. I hope that that's what this measure does, and I urge my colleagues' support of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I consume.

Mr. Speaker, I rise in support of H.R. 2640, the NICS Improvement Act of 2007. Just 2 months ago, Cho Seung-Hui, a 23-year-old student, killed 32 people and injured 20 others in a horrendous shooting at the Virginia Tech campus. Our Nation was shocked by the senselessness and brutality of this attack.

In addition to our sadness over the identity of the innocent lives lost, we were angry to learn that Cho Seung-Hui should not have obtained the two guns he obtained to commit this act because he had a history of mental illness.

Unfortunately, Virginia State law did not provide for transmittal of records of mental illness to the National Instant Criminal Background Check System database, which would have disqualified him from purchasing firearms. Ambiguities in current Federal law also contributed to the system's failure to stop him from obtaining weapons. Today we take the first step in making sure that this tragedy is not repeated.

I commend Congresswoman MCCARTHY and Congressman DINGELL and the other cosponsors for their commitment to addressing this issue in a way that

protects every American's constitutional right to bear arms.

The NICS Improvement Act will ensure that the NICS background check system really is instantaneous and accurate. The act will require Federal agencies to provide relevant criminal mental health and military records for using NICS, create financial incentives for States to provide relevant records for using NICS, improve the accuracy of NICS by requiring Federal agencies and participating States to provide relevant records, require removal of expired, incorrect or otherwise irrelevant records, prohibit Federal fees from NICS checks and to require an audit by the Government Accountability Office of funds already spent for criminal history improvements, since hundreds of millions of dollars intended for NICS were spent on non-NICS programs.

To strike a fair balance on the issue of mental adjudications, the bill clarifies existing law to include involuntary commitments to a mental institution, prevents use of Federal adjudications based on medical diagnoses without a finding of dangerousness or mental incapacity, requires all Federal agencies imposing mental health adjudications or commitments to provide a process for "relief from disabilities" and requires States receiving funding to have a relief from disabilities program for mental adjudications and commitments.

The tragedy of April 16 can never be erased, but this bill is a step forward in protecting our country from violence by persons who have no right to possess a firearm.

Mr. Speaker, I support this bill and urge my colleagues to vote in favor of it as well.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, it is my pleasure now to recognize the gentlelady from New York, who has probably worked harder on gun regulations and sanity and the licensing of guns than anyone in the House, Mrs. MCCARTHY. I yield her as much time as she may consume.

Mrs. MCCARTHY of New York. I thank you, Mr. CONYERS, for yielding. I want to thank you for your leadership on these issues, and I appreciate the time.

I would like to thank my good friend, Congressman DINGELL, for all the hard work in bringing this bill to the floor. Without his help, we would not be debating this bill today.

I also would like to thank Mr. BUCHER, the original cosponsor and I would also like to say thank you to Mr. LAMAR SMITH for working with us.

Mr. Speaker, the National Instant Criminal Background Check System, or NICS, is deeply flawed. Millions of criminals' records are not accessible by NICS, and millions of others are missing critical data, such as arrest dispositions, due to data backlogs.

The primary cause of delay in NICS background checks is the lack of updates due to funding and technology

issues in the States. Many States have not automated the records concerning mental illness, restraining orders or misdemeanor convictions for domestic violence. Simply put, the NICS system must be updated on both the State and the Federal level.

On March 12, 2002, a senseless shooting took the lives of a priest and a parishioner, Mrs. Tosner, at the Our Lady of Peace Church in Lynbrook, New York. That is part of my district.

This shooting brought attention to the need to improve information sharing, and it would allow and enable Federal and State enforcement agencies to conduct a complete background check on a potential firearm purchaser. The man who committed this double murder had a prior disqualifying mental health commitment and a restraining order against him, but passed a Brady background check because NICS did not have the necessary information to determine that he was ineligible to purchase a firearm under Federal or State law.

This same scenario happens every day. The shooter in the Virginia Tech massacre was prohibited from purchasing a firearm.

Unfortunately, flaws in the NICS system allowed his records to slip through the cracks. He was able to purchase two handguns and use them to brutally murder 32 individuals.

Today, Congress will stand up for the victims and pass commonsense legislation. According to a Third Way report, over 91 percent of those adjudicated for mental illness cannot be stopped by a background check due to flaws in the system. But this issue allows other barred individuals to purchase firearms. Twenty-five percent of felony convictions do not make it into the NICS system. That is why I introduced the NICS Improvement Act with Mr. DINGELL.

My bill will require all States to provide the NICS system with the relevant records needed to conduct effective background checks. It's the State's responsibility to ensure that this information is current and accurate. They must update the records to ensure that violent criminals do not have the right to own firearms.

However, I recognize many State budgets are already overburdened. This legislation would provide grants to States to update their records into the NICS system. States would get the funds they need to make sure records relevant to the NICS are up to date.

While the NICS system does have major flaws, it is responsible for preventing thousands of barred individuals from purchasing firearms. Approximately 916,000 individuals have been prohibited from purchasing a firearm for failing a background check between November 30, 1998, when the NICS system began operating on December 31 of 2004.

During this same period, nearly 49 million Brady background checks were processed through the NICS system. By

improving upon the system, we can stop criminals from falling between the cracks. Today we are one step closer to bringing the records of millions of barred individuals into the NICS system. No system will be perfect, but that does not mean we should not make improvements to make it better. This is good policy that will save lives and should be passed by the House.

My legislation imposes no new restrictions on gun owners and does not infringe on the second amendment rights of law-abiding citizens.

I also would like to thank Bob Dobek of my staff and Josh Tzucker of Mr. DINGELL's staff for the tireless hours they put in to have this bill brought to the floor. This policy crosses party lines, and I urge my colleagues to support H.R. 2640.

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I think the most important thing that we must all remember, we have an opportunity to save lives. That is why I came to Congress. This has been a long, long journey for me, but it's working with people that, even though I disagree with at times on bringing this together, to make sure that more citizens are safer today than they were yesterday.

This is a good bill. I urge my colleagues to support that.

Mr. SMITH of Texas. Mr. Speaker, I just want to observe that the Dean of the House, the gentleman from Michigan (Mr. DINGELL) has arrived on the House floor. And I just want to say, again, how much I enjoyed our working relationship in the development of this bill and again, appreciate all his contributions to this legislation.

Mr. Speaker, I yield to the gentleman from Delaware (Mr. CASTLE) 3 minutes.

Mr. CASTLE. Mr. Speaker, I thank the gentleman from Texas for yielding. I also thank those who've worked so hard on this, the gentleman from Michigan, the head of the Judiciary Committee, for his great work. Obviously, the extraordinary work of CAROLYN MCCARTHY. We know her personal story and how touching it is; and Mr. DINGELL for his work on this legislation.

I do rise in strong support of H.R. 2640, the NICS Improvement Amendments Act of 2007. As I've indicated, many people have worked hard on this legislation, and for that we owe them a great deal of thanks.

H.R. 2640 would enforce existing laws to help States automate and share disqualifying records like felony criminal convictions, mental disability and domestic violence incidents with the FBI's National Instant Criminal Background Check System database. By increasing the quantity and quality of data available for the background checks of potential gun buyers, we will strengthen a system that has proven vulnerable.

Funding has been provided through the National Criminal History Improvement Program to help States up-

date, automate and improve their records. However, we were reminded of the gaps in the current Federal background check system in the wake of the Virginia Tech tragedy. A lack of reporting of those who are mentally adjudicated allowed the shooter, who should have been barred under Federal regulations from purchasing a firearm because of his history of mental illness, to purchase two handguns. The NICS Improvement Amendments Act of 2007 is critical to strengthen public safety and prevent gun violence.

Consideration of this legislation is long overdue. As an advocate of strengthening the NICS database for many years, I am pleased to lend my support to H.R. 2640. A background check is only as good as the records included in the database, and all relevant records relating to persons disqualified from acquiring a firearm under Federal law must be included in the NICS. It is my hope that the funding provided in bill will help States to act quickly and to improve their reporting.

This legislation represents a true compromise, a public safety measure that will prevent gun violence and protect the second amendment rights of law abiding citizens.

I think it's very important to note that we have two diverse groups coming together, the NRA and the Brady Group, coming together to help work out this legislation, and both had some benefits from it. Hopefully, perhaps a lesson we can all learn here on the floor.

I urge my colleagues to join me in supporting this vital measure, and I hope that we can support it and prevent future tragedies in our country.

Mr. CONYERS. Mr. Speaker, nobody in the House knows more about guns than the Dean of the Congress, the 110th Congress, the gentleman from Michigan, chairman of a major committee, JOHN DINGELL. I yield him as much time as he may consume, not to exceed 2 minutes.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. I want to thank, Mr. Speaker, my dear friend, the chairman of the committee, for yielding this time to me, and express my great affection and respect for Mr. CONYERS.

I also want to thank my dear friend, Mr. SMITH, for the kind words that he made about me, and I want to express my affection and respect for him.

I want to say that this is a good piece of legislation. It has taken a while, but I'm happy to have worked with many of our colleagues, including the distinguished gentlewoman from New York, who has been a fine leader on this matter.

Improving the National Instant Check System is a matter of important national business, and I would urge my colleagues to take a look at the rather curious alliance which brings this matter forward. Not only is the NRA, but the gun control folks are in support of

it. Members on both sides of the aisle, both here and in the Senate, are strongly supporting it.

The bill will require the National Instant Check System to work. It will provide incentives to the States and penalties for those who do not cooperate in terms of making the system work.

This system has the capability of seeing to it that criminals are denied firearms while, at the same time, assuring that we protect the rights of law abiding citizens.

The bill makes the system better for everyone, and assures that there will be better law enforcement and better protection of the rights of all citizens, both under the second amendment and personal security.

The bill also addresses the problems of mishandling of this matter by the Veterans Administration, by making corrections which will make it possible for veterans who have not a disability of mental character or otherwise, to own firearms within the ordinary structure of the law.

It is a good piece of legislation. I want to commend my distinguished friend, Congresswoman MCCARTHY from New York for her leadership and the outstanding work which she has done.

I will tell my colleagues that this is an important matter. I'm delighted to see that we're able to come together, Democrats and Republicans, friends of firearms and hunters and sportsmen, and also those who are concerned about public safety, and who desire to see to it that we have proper protection of persons against criminal misuse of firearms.

We have given this body a good bill. I urge my colleagues to support it.

Mr. Speaker, we've heard many concerns from gun owners, especially my fellow veterans, who are concerned that a person who seeks treatment for a mental problem might be reported to NICS as a "mental defective." I want to lay those concerns to rest right now.

First of all, federal law, the Gun Control Act of 1968 prohibits gun ownership by people who are "adjudicated" as mentally defective. "Adjudication" implies a decision by a court or similar body—not just a doctor's notes on a patient's charts.

Even the regulations of the Bureau of Alcohol, Tobacco, Firearms and Explosives make that clear. They define an "adjudication" as a decision by a "court, board, commission or other lawful authority." They have never treated doctors as a "lawful authority" for this purpose; clearly what they had in mind were legally empowered bodies such as judges, or the county mental health boards that are in place in some states to make decisions at hearings with respect to mental illness.

Second, we in no way intend that this bill should override federal or state medical privacy laws or the basic role of a doctor. The confidentiality between a doctor and patient is sacred and we do not intend to breach it here. We make that clear in section 102 of this bill, where we require the Attorney General to work with the medical and mental health community to develop privacy regulations.

Finally, this is a particular concern for the Veterans' Administration, which examines thousands of veterans every year. Even if we wanted them to, it would be an unreasonable demand on that hard-working agency to expect them to comb every patient's file for any possible finding that the person might be dangerous. I want to be clear that that is not our intent.

It is important that we understand these points because no person should ever be deterred from seeking mental health treatment out of a concern that he might lose his Second Amendment rights due to some record of voluntary treatment being provided for the instant check system.

Mr. SMITH of Texas. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. LUNGREN), a senior member of the Judiciary Committee.

(Mr. DANIEL E. LUNGREN of California asked and was given permission to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, we've heard from the perspective of those who have, unfortunately, suffered tremendous loss in gun violence. We've heard from those who are champions of the second amendment. We've heard from the distinguished chairman of the Judiciary Committee, and the ranking member of the Judiciary Committee.

I would like to bring the perspective of someone who was required to enforce the laws concerning guns in the State of California as Attorney General. Background checks in the State of California go through the California Department of Justice. We have, probably before the Federal law was passed, certain requirements or restrictions from those who ought not to have weapons that I think there is absolutely general agreement on.

Under current law, you cannot do that if you have illegally entered the country, renounced your citizenship, been committed to a mental institution, or been legally declared mentally defective and a danger to others, if you have received a dishonorable discharge from the military, or illegally used drugs or are addicted to illegal drugs.

I think virtually every American can agree that that makes sense. We agreed that that makes sense in California a long time ago.

But the background check is only as good as the information in the system. And while States such as mine can do a very good job with respect to their own records, a huge loophole exists if someone who has been declared mentally deficient in another State moves into your State and you don't have those records. If someone who has a disqualifying felony from another State comes into your State, you don't have those records. And so this allows more accurate information to assist all the States in doing the job that their people have agreed ought to be done. There's very little dispute on this.

For many years, the National Rifle Association has said they supported accurate background checks, so long as there was an ability for people to chal-

lenge them if, in fact, they're improperly in those records. And that is in current legislation, strengthened in this legislation.

Some of the States have had difficulty with respect to their funding. This assists in that regard.

It seems to me, this is a responsible way of responding to a serious problem. It is one which is not driven by the extremes. It is not driven by emotion. It is driven by conscious effort to try and find a reasonable response to a continuing problem.

I support this wholeheartedly. I congratulate those on both sides who have done such a good job of working to make sure that this bill came to the floor, and that it was not in some way sidetracked by extraneous arguments.

And so I congratulate the authors. I congratulate the members of the committee leadership, and I urge unanimous support of this bill.

Mr. CONYERS. Mr. Speaker, I rise to recognize the gentleman from Virginia, Mr. RICK BOUCHER, a principal actor on this legislation, and yield him as much time as he may consume.

Mr. BOUCHER. Mr. Speaker, I want to thank my friend the gentleman from Michigan for yielding this time to me.

I rise in support of the legislation, which I'm pleased to be cosponsoring with the gentlelady from New York (Mrs. MCCARTHY) and the gentleman from Michigan Mr. DINGELL. And I want to thank both of my colleagues for their careful and constructive work that has brought this measure to the floor today.

The bill before the House is a well tailored response to the tragedy that occurred earlier this year in the Congressional District which I represent, in which is located Virginia Tech University.

It also meets a nationwide need for better reporting of mental health records to the National Instant Criminal background check system, against which prospective gun purchasers are checked to determine their eligibility to purchase firearms.

Under existing Federal law, which was also in effect at the time of the Virginia Tech tragedy, persons who have been adjudicated to be a risk to others or to themselves because of a mental condition are prohibited from purchasing firearms. The perpetrator of the Virginia Tech tragedy had been adjudicated by a State court in Montgomery County, Virginia, to be a risk to himself and committed for outpatient mental evaluation.

Accordingly, under Federal law that was in effect at the time, he should have been barred from purchasing the firearms that he used. However, at the time the purchases were made, Virginia did not submit to the national background check system mental health records of persons who were committed for outpatient as opposed to inpatient mental health evaluation. Therefore, the disqualifying adjudication that the perpetrator was a risk to

himself was not submitted to the background check system, and he was able to purchase firearms.

Ironically, at the time, our State of Virginia had the best record among all the States in submitting mental health records to the national background check system. And so clearly, there is a large nationwide need for improvement in the submission of these records, both in Virginia, but elsewhere across the country.

Since the tragedy, Virginia's mental health submissions have been made much more thorough by an executive order that was signed by Virginia's governor, Tim Kaine. The bill that we will pass today will improve the submission of mental health records in other States by providing grants to the States which undertake projects to make more thorough record submissions.

The bill also imposes financial penalties on States that elect not to do so. This is a measured response to a truly terrible situation. It will improve the accuracy of the national background check system, and I want to commend Mrs. MCCARTHY, in particular, for her longstanding advocacy of these improvements, my colleague on the House Energy and Committee, JOHN DINGELL, for his outstanding work on the legislation, and the gentleman from Michigan (Mr. CONYERS), who so ably chairs the House Judiciary Committee, for moving this measure rapidly to the House floor today.

Mr. Speaker, I urge passage of the bill.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to my colleague from Texas (Mr. PAUL).

Further, Mr. Speaker, I ask unanimous consent to yield the balance of my time to the gentleman from California (Mr. LUNGREN).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. Mr. Speaker, I rise in opposition to H.R. 2640, the National Instant Criminal Background Check System Improvements Amendments Act, and I urge caution.

In my opinion, H.R. 2640 is a flagrantly unconstitutional expansion of restriction on the exercise of the right to bear arms protected under the second amendment.

H.R. 2640 also seriously undermines the privacy rights of all Americans, gun owners and non-gun owners alike, by creating and expanding massive Federal Government databases, including medical and other private records of every American.

H.R. 2640 illustrates how placing restrictions on the exercise of one right, in this case, the right to bear arms, inevitably leads to expanded restriction on other rights as well. In an effort to make the Brady background check on

gun purchases more efficient, H.R. 2640 pressures States and mandates Federal agencies to dump massive amounts of information about the private lives of all Americans into a central Federal Government database.

□ 1100

Among the information that must be submitted to the database are medical, psychological, and drug treatment records that have traditionally been considered protected from disclosure under the physician/patient relationship, as well as records related to misdemeanor domestic violence. While supporters of H.R. 2640 say that there are restrictions on the use of this personal information, such restrictions did not stop the well-publicized IRS and FBI files privacy abuses by both Democratic and Republican administrations. Neither have such restrictions prevented children from being barred from flights because their names appeared on the massive terrorist watch list. We should not trick ourselves into believing that we can pick and choose which part of the Bill of Rights we support.

I urge my colleagues to join me in opposing this bill.

Mr. CONYERS. Mr. Speaker, I now yield 3 minutes to the gentlewoman from Texas, SHEILA JACKSON-LEE, who is one of the most active members on the House Judiciary Committee.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think it is important as we come to the floor this morning to remind our colleagues of the horrible death that this legislation has had over the last two Congresses. Just think how many lives could have been saved had the wisdom of Congresswoman MCCARTHY and certainly her cosponsor Congressman DINGELL and this body prevailed. Maybe the tragedy of Virginia Tech, Seung-Hui Cho, who was already judged someone who was troubled, could have saved the lives of 32 who died and 26 who were wounded.

This bill died Congress after Congress. I rise today to support this legislation because it is an answer partly to the crisis of the massive numbers of murders and death by guns in this country.

I am reminded of the phrase of those who want to see no regulation, and that is that "people kill, guns don't." But it is interesting that they use guns to kill, just like the individual who recently walked into his pregnant wife's office and shot her dead, a pregnant woman.

So I support this legislation for making it easier to secure the instant background checks to get rid of the backlogs and to be able to stand in the way of a Seung-Hui Cho.

Let me thank Congressman CONYERS for his continuing advocacy and the great work of Congresswoman MCCARTHY over the years of expressing her

advocacy based upon her experience, and it has been a tribute to her service in America. Let me thank Mr. DINGELL and the ranking member, Mr. SMITH, for their collaboration on moving this legislation forward.

Might I, however, note that I am concerned that there is an allowance for those who have been denied earlier to be able to purchase a gun later in life. I raise a concern about that, whether that person is fully healed and ready to own a gun. And then it also indicates that it automatically restores the gun rights of a military American who may have been diagnosed with military illness, suggesting that he or she may no longer be under a monitoring system or no longer needs care. I raise these loopholes because those are the kinds of cases that will pop up on the Nation's headlines. Why did it happen? Because we had a loophole.

So we have taken some steps, but, frankly, as I look at the numbers of dead in Chicago, young people who have died, now some 31, 32, at the hands of guns, yes, gun violence and gangs, but it still is speaking to the proliferation of guns in America.

I don't have any problem with the second amendment. You can carry a legal gun for legal purposes all you want. Go through the hoops and go through the circles so that we can protect America against the illegal selling of guns that results in 32 dead teenagers as young as 14 years old in Chicago, Illinois.

I ask my colleagues to support this legislation. It is a good step forward. And I thank the leaders for this bill.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, it is my pleasure now to yield 2 minutes to the gentleman from Austin, Texas, the left-hander (Mr. MCCAUL).

Mr. MCCAUL of Texas. I thank the gentleman from California for yielding.

Mr. Speaker, I rise today in support of this bill. I also rise as a former Federal prosecutor who prosecuted, under the Federal firearms statute, gun cases.

I want to commend Chairman DINGELL, Congresswoman MCCARTHY, and the National Rifle Association for reaching what I consider to be a good result on a bill that, in my view, is necessary.

It has been illegal for various individuals to purchase firearms for many years, illegal aliens, mentally defective individuals, those using illegal drugs, and people convicted of crimes of domestic violence. But for too long, in my experience and many of my colleagues whom I worked with in the Justice Department, the system, the background check system was not accurate. The information was not fully put into the system. In my view, if we are going to have a background check system, we ought to do it right. So let's get the system right.

I think that is what this bill does. It gets the system right. It provides the Federal funding necessary to get the

system right. And at the same time, it protects law-abiding citizens, those who are law abiding who want to purchase firearms. It protects their second amendment rights, and it keeps guns out of the hands of the bad guys.

I prosecuted cases under the Exile Program, which was a program sponsored by the National Rifle Association, and what we found was that it was bad guys that possessed firearms that caused the crime in this country. And we found when we locked up the bad guys who possessed these firearms that the crime rate actually went down.

So with that, I, again, give my support to this bill.

Mr. CONYERS. Mr. Speaker, I am delighted to yield the balance of my time to the gentleman from Virginia (Mr. MORAN) to close on our side.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 2 minutes.

Mr. MORAN of Virginia. I thank the distinguished chairman of the Judiciary Committee for yielding.

I will vote for this. I was a cosponsor of this. And certainly Mrs. MCCARTHY deserves credit for bringing it to the floor.

But I do have concerns, as the chairman does, that this needs to be very tightly regulated because it is quite liable to allow thousands of people who should not have access to guns to be able to do so by dropping their mental health treatment. There are 190,000 veterans who, because of their experience in combat, have had serious mental illness problems, but it appears that if they drop the treatment that they have been in, they can become eligible to purchase guns. Again, much of this is going to be in the regulation and the good judgment of States to make it work properly.

It is not a gun control measure, as Mrs. MCCARTHY, stated. It does nothing about the fact that we have hundreds of millions of guns in circulation and tens of thousands of people die from those guns, the vast majority are innocent victims, every year, more so than any civilized nation. It doesn't address issues with regard to the second amendment where the Supreme Court has made it clear there is really not a right for individuals to own guns but rather for States to have well-regulated militias. These are issues that need to be addressed at some point by our country.

But this bill, hopefully, will address a very egregious situation where the person that the court had determined to be mentally deranged was allowed access to firearms that he never should have gotten. There are other problems in other States that could have allowed such a thing to happen. Hopefully, this bill will clean up this record-keeping system that sufficient resources will be made available.

But, again, Mr. Speaker, this country ought not be allowing people to be buying assault weapons, 50 caliber sniper

rifles and weapons that clearly are used for military purposes, not for purposes of recreational hunting.

Mr. Speaker, this bill will pass unanimously and at this point, it should.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a good bill. This is a bipartisan bill. This goes across ideological lines. It goes across lines of organizations that in the past may not have worked together.

There were some comments on the floor with which I disagree. This is not open season on all the medical records of every American citizen. If you are adjudicated, you will find yourself in this system. And I think most Americans believe that if someone has been adjudicated with a mental defect which is a danger to society, they ought not to have a weapon.

There has been an effort to try to reach a reasonable compromise on how we deal with a very difficult situation dealing with veterans, where overreach in the past by the Veterans Administration has caused trouble with respect to those who ought not to be included in the system. But it doesn't automatically allow all these folks to come in. It is not an open door. They have to go through the system. They have to show that they ought not to be disabled from receiving a gun.

Whenever you talk about the second amendment, it seems to me it ought to be done with proper deference and proper respect for the Constitution. At the same time, this is not an unconstitutional deprivation of any right. The courts have been very clear that people can be denied the right to guns in these categories. We are not expanding the categories. As a matter of fact, we are creating in this legislation mechanisms to make it work better.

I can recall being on the floor in the 1980s when we were dealing with very tough debates on gun laws, and at that time the National Rifle Association's position was that they would support an instant background check system. The technology really wasn't there at that time. It really wasn't there. We are not totally there yet, but we are almost there in terms of instantaneous.

This is the kind of background check that we had hoped we could discuss on the floor back in the 1980s. It was sort of a dream, and some people thought it was a ruse at that time to stop legislation. Now it is a reality. It is something that can work, and this legislation makes it work better.

May I just reiterate: when I was the chief law enforcement officer of the State of California, we relied on the accuracy of the information contained in our records at the California Department of Justice. Similarly, the only way we could make sure that our laws work effectively and the Federal laws work effectively within our State is that we have proper information on adjudications from other States. And it is unfair to the citizens of my State to

have people disabled from using firearms because they have been adjudicated legally with respect to a mental deficiency and yet others come in from other States, take up residence in our State, and because we don't have the records, they are allowed to have such weapons, which we believe to be a danger to society. So that is what this legislation does.

The other thing is, remember, there is an ability to challenge being placed on these lists, and that is enhanced in this legislation. There is, yes, funding that encourages the States to participate. But isn't that the way we would like it? We want the States to participate. We want the information to be accurate. We want to have a system that actually is accurate, informative, and instantaneously accessible by proper authorities.

So please remember we have not done something which puts Americans' medical records at risk unless you have committed a disqualifying crime or unless you have been adjudicated by a court for having a mental defect which would prove to be a danger to society.

I would ask my colleagues to support this legislation.

Mr. PAUL. Mr. Speaker, in addition the NICS Improvement Amendments Act illustrates how laws creating new infringements on liberty often also impose large financial burdens on taxpayers. In just its first three years of operation, the bill authorizes new yearly spending of \$375 million plus additional spending "as may be necessary." This new spending is not offset by any decrease in other government spending.

Mr. EMANUEL. Mr. Speaker, I rise today in support of H.R. 2640, the National Instant Background Check System—NICS—Improvement Act. I am proud to be an original cosponsor of this important legislation, and I urge my colleagues to join me in supporting this vital correction of NICS.

Established by the Brady bill in 1994, NICS is the main point of contact for firearms dealers to determine if an individual is ineligible to purchase a gun. Current law prohibits criminals, drug addicts, those adjudicated as mentally ill, domestic abusers and others from being able to purchase fire arms. The NICS Improvement Act will improve this system by requiring States to update the system with their own lists of individuals who are no longer qualified to buy guns under the 1968 Gun Control Act.

The recent tragedy at Virginia Tech has shown that the data used to conduct background checks clearly needs to be improved. Seung Hui Cho had been adjudicated mentally ill and should not have been able to purchase a weapon, but NICS did not have that information on file, enabling him to pass an instant background check before purchasing his weapons.

No one who is prohibited by law from buying a gun should be able to skirt the law thanks to outdated data. The NICS Improvement Act will require the transmittal of Federal and State records to NICS, as well as create incentives for the States to keep the information accurate and up to date.

During my time in the White House, I was proud to be a part of passing the Brady bill

and I know my friends Jim and Sarah Brady are as proud as I am that we are taking action to improve this system to keep guns out of the hands of dangerous individuals.

Mr. Speaker, nothing can bring back the victims of the tragedy at Virginia Tech, and my heart goes out to the families of those who were lost this past April. We need to learn from this tragedy, and I ask my colleagues to join me in doing just that by passing the NICS Improvement Act today.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield back the balance of my time.

□ 1115

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 2640.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 473 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2638.

□ 1119

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2638) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes, with Mr. WEINER in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on the legislative day of Tuesday, June 12, 2007, the bill had been read through page 2, line 11, and pending was the amendment by the gentleman from North Carolina (Mr. MCHENRY) to amendment No. 33 by the gentlewoman from North Carolina (Ms. FOXX).

Is there further debate on the amendment?

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. Has the gentleman from Georgia already spoken on this amendment?

Mr. PRICE of Georgia. No, sir.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. PRICE of Georgia. Mr. Chairman, I look forward again to a spirit of debate today on an issue that's of the highest importance, I believe, to the American people.

Before we get into the substance of the amendment, I thought it might be appropriate to review a few items of

discussion as we closed last evening. We had some good friends on the other side who talked about all of this being "a waste of time." Well, Mr. Chairman, I am here to tell you that my colleagues and I believe that any time that we can fight on behalf of the American people for transparency and for accountability and, yes, for democracy, that that is not a waste of time.

We heard last evening that our discussion points on this appropriations bill, which spends billions of hard-earned taxpayer money, that it was long on process and short on policy. Well, Mr. Chairman, our policy regarding the earmark issue, which has now grabbed the attention of the entire Nation, our policy was complete transparency and an opportunity not just to be informed about earmarks, but to have an up or down vote, an up or down vote and the opportunity to vote on each individual special project. That is an apparent novel thought to our new majority, and we would encourage them to visit the rule that we had in place prior to the change in leadership.

We also heard last evening that we weren't hearing any facts by the minority party. Well, Mr. Chairman, the fact is that their earmark policy, the majority party's earmark policy is simply a slush fund to spend money as they or one individual may deem fit.

As we revisit this second-order amendment, I think it's important for the American people to appreciate and for our colleagues to appreciate that what this amendment would do would be to decrease spending by the majority party by about \$8.5 million. Mr. Chairman, that's \$8.5 million in savings to the American people.

Now, I know to some here in Washington that may seem like a paltry sum, but \$8.5 million is a lot of money. It's a lot of money, and it's appropriate for us to be discussing how that money ought be spent.

The chairman of the subcommittee said yesterday what we needed was a reality check about this amount of money that was in the bill. He said that the majority party consulted with the Office of Executive Counsel, and this is exactly the amount of money that they said they needed. Well, Mr. Chairman, we consulted some folks, too. We consulted the American taxpayer. The American taxpayer said that we are spending too much money, and that they want greater oversight on the amount of money that this Congress spends of their hard-earned tax money.

Mr. Chairman, this new majority ran on a policy of openness and honesty and candor, and I would suggest that this is hardly a process that could be considered as embracing openness or honesty or candor. If we examine the process that's proposed by the majority party, it would allow appropriations bills to have a line in them. Every appropriations bill would have a line in it, it would say "trust us, just trust us." Any Member that then wanted a

special project or an earmark would write a request to the Appropriations Chair, the Appropriations Chair would then decide if that project had merit, not the House, the Appropriations Chair, and then we would be informed. No opportunity to identify that particular project, projects would simply be disclosed. We would be given information.

Well, Mr. Chairman, this issue isn't about disclosure. It's not just about knowing what's in the bill. It is about having the opportunity, as our constituents would desire, for us to debate the issue, for us to debate each of those special projects, for us to deliberate on them. It would be an opportunity for us to follow the rules of the House. It would be an opportunity for transparency, and a much greater opportunity for accountability.

So, Mr. Chairman, this is about ideology, yes, about who ought to be better able to spend the hard-earned taxpayers' money, whether it's Washington or whether it's our constituents. And it's about a slush fund that we are beginning to get a sense is recurring in bill after bill, and in these appropriations bills, a slush fund in every bill that would allow the majority party to determine where those special projects would be funded.

So what's the solution? What's the solution? We had a long debate yesterday, a long discussion yesterday. And I think it is important that we put on the table the solution that would be most appropriate, and that is, I would suggest, Mr. Chairman, a moratorium. Let's have a moratorium on all earmarks. Let's make it so that we do what the American people, what our constituents would desire, which is to get together and solve this challenge that we have. It's not a Republican challenge or a Democrat challenge, it's an American challenge: How do we most wisely and most responsibly spend the American taxpayer money?

I would support a moratorium. I urge my colleagues to adopt this amendment as we learn and work to responsibly spend taxpayer money.

Mr. RODRIGUEZ. Mr. Chairman, I move to strike the last word.

Let me take this opportunity, first of all, to congratulate the chairman, Congressman PRICE, on this particular piece of legislation. Let me also share with you, as a member of this particular subcommittee, of this particular committee, we had some 22 hearings. The gentleman speaks about the importance of being able to see, in terms of transparency. We had 22 hearings. That is much more than in the previous time.

We had an opportunity, also, to visit the border. We went through Arizona all the way down to San Diego. We had a chance to look in terms of the border and the type of technology that is required in order to safeguard our border, not to mention the fact that we also looked at the different types of fences that are being utilized. And there is no

doubt that there is a need there, especially in the areas in Arizona and elsewhere where we visited, where there is a need for blocking vehicles from coming in.

I was really impressed with the type of technology that is already there. And I am impressed that the bill will also provide additional resources to allow additional technology throughout the entire border.

This bill is a bill that authorizes direct Federal funds to also help law enforcement officers on the border. I represent 700 miles along the Texas/Mexico border. I have probably the largest district that comprises those 700 miles along the border. And we have a tremendous amount of resources and need in that area in order to safeguard the community as well as provide good security.

One of the things that we provide is the Stone Garden project. That allows resources to be able to be utilized by the sheriffs and by the local law enforcement officers to help out, and all the other communities to be able to participate with the Federal officers to be able to make things happen on the border.

Let me just share a few examples. We get complaints from some of my communities that are very small, right on the Mexican border, that might have three to six policemen. One little car accident or one item can get them all engaged in that one activity while the local taxpayer has to carry the burden. The Federal Government has the responsibility, and this bill allows that opportunity to do that.

To us, homeland security is important. Homeland security is key. This bill has no earmarks. In the past, I have been informed that it has had very few earmarks. And so it is something that is critical and important. We felt that we needed to provide additional resources to some of those communities. There is also a need for us to provide those resources on not only the south, but on the northern border, also.

The bill provides grants to hire, train and equip local law enforcement officials in these communities. There is also some reimbursement for individuals that are caught, undocumented individuals on the border, whether they be trafficking with drugs or with human smuggling, which is also an area that we need to continue to work on. This bill allows that opportunity for us to begin to fill those gaps.

There is no doubt that we have not made the investment. This bill begins to provide that investment that is needed to protect our borders.

□ 1130

The reimbursement of county and city law enforcement agencies for costs also associated with detaining, housing and transporting individuals who have entered the country illegally is essential because my border community, the local taxpayer, has to carry that burden. This Federal Government has a responsibility.

So I share with my individual friends on the other side and say that it is important for us to pass this piece of legislation. I think it provides good resources for our communities throughout.

It also provides funding for the construction and maintenance and operation of detention facilities that are essential. As you well know, in some cases, sometimes we will find some 80 illegals coming in through Arizona, and you pick up a large number of individuals. So you have to have the number of staff required in order to process them and in order to bring them through. We also provide the resources that are needed to begin to enhance the technology that is being utilized in order to make that happen.

What is also important to note is we also need to begin to see what is more cost effective when it comes to the border in terms of the technology. There has been a lot of talk about the fence. The reality is that a border patrolman will tell you that the fence allows you 1 or 2 more minutes just to be able to do that.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, aren't we supposed to alternate between sides?

The Acting CHAIRMAN. The gentleman from New York is a member of the committee.

The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, last night and most of yesterday we saw a very unfortunate situation take place on the House floor: discussions, anger, tempers, and very little on the substance or the bill or the work of the committee.

I rise today to remind us of the work this committee has done in a bipartisan fashion before we came to the floor. I have been a member of the Homeland Security Committee since it was formed. So has Mr. PRICE, Mr. EDWARDS, and Ms. ROYBAL-ALLARD. I know for certain that on the other side the former chairman and ranking member, Mr. ROGERS, has been a member since the creation of the committee. From day one, the committee has taken its work very seriously.

This year, under new leadership, the committee continued to take its work seriously. We held 20 hearings plus a couple of field hearings, over 50 hours of public hearings. Decisions, information was not gathered in private. These were public hearings. Over 70 witnesses came before us both from government and those who have the knowledge to advise us on these issues.

During those hearings, every member was treated fairly. In fact, one of the highlights, I think, was the way in which Mr. PRICE worked with Mr. ROGERS and the way that Mr. ROGERS continued to play such an important role in these hearings in presenting his views, his knowledge and his expertise.

That kind of bipartisanship, that kind of presentation, that kind of work led to the bill that we have before us. It is one of the few bills in this House where those of us who are part of the committee know well how serious the issue is and how much we have to do to try to assign the proper dollars.

When the bill left committee, there were, of course, a few disagreements. But there was a bipartisan belief that we were doing that which we were challenged to do, that we were asked to do, which was to put forth a bill that secured the homeland, that protected the homeland.

Yet, what we saw yesterday did not speak to that at all. What we saw yesterday was personal attacks. It was discussions about issues that were not involved in this bill. Interestingly enough, the number one decision yesterday was to attack earmarks. Yet Mr. ROGERS set a precedent, which was followed by Mr. PRICE, that if there is a bill that does not deal with earmarks, it is this bill.

Now, that needs to be repeated. Of all the bills to pick on to deal with the issue of earmarks, this is the wrong bill. This was something instituted by Chairman ROGERS and continued by Chairman PRICE on a bipartisan level. This is so serious, this issue at hand, and these dollars are so serious and so dedicated in the way they are appropriated that the earmarking process perhaps should not play a role at all. And it hasn't, up to now, I assure you. Otherwise I would have gone to Chairman ROGERS and gotten something in the last few years. I didn't because it just did not exist.

So now we find ourselves with a decision to make today: Will we continue to behave on the floor as if we were discussing the reelection for Congress in 2008, or do we really want to send to the President's desk a bill that speaks to the needs of our community in securing our homeland?

I represent the Bronx, New York City. I was in New York City on September 11. I was not here with my colleagues. As I have said often, my son was running for the New York City Council on that day, and the election was cut off at 11 o'clock in the morning because of the terrorist attack. That is something no one writes about, that the terrorists were able to stop our electoral process in the biggest city in the Nation around 11 a.m. The elections were run 2 weeks later. So I was there helping my son on election day. I remember the pain and the horror that you all know about of seeing my city attacked.

I take this bill personally very seriously. I take the bill as a Member of Congress personally very seriously. This committee has taken this bill very seriously. This committee, on a bipartisan basis, takes protection and the safety of the homeland very seriously.

Let's make sure that all Members take it seriously. Let's pass the bill.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the gentleman who has just spoken has talked about dedication to homeland security by the members of the subcommittee and the full Appropriations Committee, and perhaps inadvertently suggested that others' concern about that does not rise to the same level. I would suggest if that is what the gentleman meant that he is wrong.

I think it is fair to say that all Members in this House were affected, both personally, professionally, and as Americans by the events of 9/11. I would suggest that while some of us may believe the sense of urgency is not maintained at all times with respect to the threat that faces us, there is in fact in much, if not everything we do, the sense of the background of the vicious attack on 9/11.

The gentleman talked about the Appropriations Committee and the appropriations subcommittee. I happen to be a member of the authorizing committee, the Homeland Security Committee. I believe we have acted in a bipartisan way.

But just to indicate a few differences between what is in this bill and what we have done in the past on a bipartisan basis or coming out of the Homeland Security Committee, the chemical protection regime that we established last year, after much discussion, after much debate and after much balancing is changed in this bill.

The border fence, which has been the subject of much debate, much attention, I happen to support it and proudly support it. I do not believe it is the panacea, but it is part of the solution. Many in the American public have wondered whether we meant what we said when we passed the legislation that authorized and appropriated funds for the border fence. They must have many more questions today, because in this bill it makes it more difficult to complete that task. Some would suggest it makes it impossible. Now, I happen to be a lawyer; I plead guilty. But if I wanted to have lawsuits to stop the fence, I would say hallelujah when I looked at this version of the law that is contained in this bill that is presented to us.

One of the gentlemen on the other side talked about detention facilities. I introduced the first piece of legislation that stopped the "catch and release" program followed by this administration and previous administrations dealing with OTMs, or "other than Mexicans," caught on our southern border. One of the reasons why they were caught and released and told to come back in 60 or 90 days for their court appearance, and 94 percent of them never did, by the way, was because we didn't have sufficient detention facilities. So ICE has said in addition to those we own, we ought to see whether we can use privatized detention facilities. This bill makes it difficult, if not impossible, to do that.

So please don't tell us on the floor that some on that side of the aisle are more concerned about homeland security than we are.

This bill places restrictions on personnel management policies that have been adopted by the Homeland Security Department, recognizing the uniqueness of their mission.

So please don't tell us that those on that side of the aisle are more concerned about homeland security than we are.

Perhaps those on the other side of the aisle believe that the only way you show sincerity is by throwing more money at it. There is a difference. That is why the ranking member, the former chairman of this subcommittee, is going to offer an amendment to bring this back down to a level that can get passed. If you want a veto, as you did for 120 days with the question of supporting our troops, you can get it on this as well.

The former chairman, the current ranking member of the subcommittee, is going to offer an amendment that will make it more probable than not that this bill will be signed by the President. Yet, in an effort to show that you feel more on this issue by throwing more money at it, you are going to subject us to the same political routine that we just went through with respect to funding our troops. 120 days lost.

We have plenty of time to debate this bill and other bills on the floor. All we have to do is make sure we stay here and debate it.

Mrs. BLACKBURN. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIRMAN. Has the gentlewoman been recognized on this amendment yet?

Mrs. BLACKBURN. No, I have not, Mr. Chairman.

The Acting CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Mrs. BLACKBURN. Mr. Chairman, it is interesting to sit here last night and then today and listen to some of our colleagues who find it incumbent to step to the microphone and say this is not a worthy debate and to talk about frustration and talk about anger and talk about this being a debate of little substance.

Mr. Chairman, with all due respect to everyone that serves in this Chamber and the people that they represent, this is indeed a very worthy debate. It is a debate that deserves our best effort. It is a debate that deserves our focus and our undivided attention.

It is also a debate that we should enter into with respect for the American taxpayers, the ones that are sending their hard-earned dollars here and their expectation that we should be, that it is incumbent upon us to be good stewards of every single penny that comes to this House.

So for those who feel that the moments we are spending on this floor are not worthy, I would commend to them

to think about the taxpayer that is hard at work right now, maybe in a job they don't even like, maybe doing something they don't really love, but they are working hard to provide for their family and they are working hard to meet their obligations and pay their taxes and to make certain that they do their part to be a good American citizen.

Now, Mr. Chairman, I think that the frustration, anger and "of little substance" that was spoken of by one of my colleagues a bit earlier this morning, is probably exercised by the American taxpayer who looks at the increases in spending that have been brought forward by this majority. They are the ones who are frustrated. I think they are the ones who are angry. And I think that they are probably the ones who look at what is taking place and they fear that money is being put into items that are not substantive.

□ 1145

Now, this new majority has already increased appropriations \$105 billion. This is a 5-year cost of what they're wanting to appropriate. For '07, we've got \$587 billion they've appropriated. They've already designated \$23 billion in an '08 budget and it goes on and on and on, the increases in spending.

Certainly we know that the bill before us, this homeland security bill, would be a 13.6 percent increase. And as I speak on Mr. MCHENRY's amendment, I commend him for bringing forward something that would cut just a little bit, just a little bit, out of these expenditures. But the truth, Mr. Chairman, is that there is a philosophical difference in how we approach this debate from our colleagues on the other side of the aisle.

Now, we heard last night that the decision on how appropriations should be done and how earmarks should be handled should be delegated to some of the professional staff. I heard from a couple of my constituents on this issue who really could not understand why we would want to delegate that authority, not review these earmarks ourselves, not want to cast a vote on those. They feel like that is our job, just as they feel like it is our job to oversee this budget, just as they want to know how this \$36 billion is going to be spent on homeland security. They want to see a more transparent and a more open budget process. They don't want to see secret slush funds returned.

They heard about these. They didn't believe it in the 1970's. They didn't believe they really existed in the 1980's. And then we had the advent of the Internet, 24/7 news, people could log on, and they started realizing, yes, there were these secret slush funds and smoke-filled rooms and that's how money got appropriated and sequestered for specific projects, something that they really didn't like. That is one of the reasons that we saw a change in '94 and things were done differently.

I enjoyed that debate. I enjoyed that little history lesson last night. But I think as we review our situation that we find ourselves in today, what we see is a need for more transparency. We see a need to rein in this funding.

Mr. FATTAH. Mr. Chairman, I move to strike the requisite number of words.

I think that this discussion on this bill today should begin with an appropriate appreciation for the great work of the chairman and the ranking member. Both Chairman PRICE and the gentleman, Mr. ROGERS, the ranking member, have done an extraordinary job in crafting a bill to address the real challenges facing our Nation in terms of homeland security. I think that the fact that there have been cuts in various programs shows that it was a rigorous process, but I think that the additions are also equally important.

I wanted to point out in particular a number of the sections in this bill: This domestic nuclear detection office is so important, because I think that we all know based on the information both in classified and declassified briefing material, and for the general public, whether it's watching Jack Bauer or however they may gather their information, that it is a real concern in our Nation, the possibility of a nuclear strike at one of our major urban centers, a nuclear device, a dirty bomb. This domestic detection office and the funding for it allocated in this bill, I think, is important.

I think that the availability of grants for our first responders. I come from the Philadelphia region. I don't want to prejudice any of the cases, but we have had arrests that have been widely noticed in the national media of people allegedly preparing to strike at Fort Dix in New Jersey. We've seen the incident at the JFK airport where the discussion is around people who were focused on potentially doing massive harm, attempting to blow up jet fuel lines running from Linden, New Jersey, all the way into the JFK airport.

So the question of homeland security, protecting our borders, adding thousands of additional Border Patrol guards, I think that this House has been well served by the capable leadership of the chairman, Chairman PRICE, and the ranking member. They've brought a quality bill to the floor. This is my first term serving on the Homeland Security Appropriations Subcommittee, a committee that was previously led by the ranking member but is now being led by Chairman PRICE, but they have put together a bill that came out of our full committee and out of our subcommittee with strong bipartisan support.

Even though, Mr. Chairman, we hear some comments from the other side, we know that they don't really represent the total views of the Members either on our side or the other side, because this bill got quality support in committee. I know that when we get a chance to vote on this bill, when we get

a chance to vote on increasing State grants for law enforcement, \$950 million, \$50 million above the 2007 number and \$700 million above the President's request for grants to help local communities plan, equip and train first responders, that this bill is going to get a resounding level of support in this House. There probably wouldn't be more than a handful of Members, if that, who are going to vote against this bill. Even though we have a lot of discussion about things that are not really meritorious, in this bill there is a great deal of meritorious approaches to protecting our Nation from real threats.

These are real threats that are playing themselves out on our borders and in our cities each and every day, and our local and national law enforcement community needs the resources that are being made available and appropriated in this bill.

I am very appreciative of the effort that has been put in the urban area grants and in the fire grants, and after Katrina and the work that has been done on emergency management and the performance area.

I would hope that before too many people are swayed, that somehow this bill doesn't represent our efforts to deal with the challenges facing our country, that they really look at the details, Mr. Chairman, and some of the political grandstanding that is going on will give way and we will get to the heart of this issue and the country will be in a position to appreciate the great work of our chairman and the ranking member. I have had the pleasure of serving with them, seeing the hearings and seeing the oversight.

Mr. KLINE of Minnesota. Mr. Chairman, I move to strike the last word.

I want to commend my colleagues for their activities over the last day. Many of my colleagues on this side of the aisle have come to the floor and offered amendments, in some cases, to do something, perhaps small but something to try to control the explosion of spending that we're seeing come forward through this budget and through this appropriations process. And so I want to commend my colleagues from North Carolina, Mr. MCHENRY, whose amendment we are debating now, which is a secondary amendment to our colleague, Ms. FOXX from North Carolina. I know it's a little confusing sometimes. These are efforts to try to control runaway spending, billions and billions of dollars, to be paid for, as we have heard in this debate, by the largest tax increase in American history. I applaud the efforts of my colleagues to try to do something to get our arms around that spending.

But there is another reason why we have been coming to the floor, and that is to shed some light into a horribly flawed process of earmarks. One of our colleagues, the gentleman from New York, I believe, earlier came down and said, "Why are we talking about earmarks? There aren't any earmarks in

this bill." Well, you see, that's the point. We don't know if there are earmarks in this bill. We don't know if there will be earmarks in this bill, but frankly the suspicion that we have is that sometime in July, or perhaps August, we will find out that indeed there are going to be earmarks in this bill and we, Members of this House, are not going to have a chance to challenge those earmarks on this floor, and that is simply unacceptable.

Now, there has been a great deal of media interest to bring focus to this. In fact, in this morning's paper, a local paper here, Roll Call, there is an editorial called Pork Rules that ought to underscore the very problem. I am just going to quote a couple of paragraphs from that story, because I think it does underscore the very issue that we're talking about on the floor of this House.

It says:

"Under furious attack from editorial writers and Republicans, House Appropriations Chairman David Obey (D-Wis.) has come up with a new disclosure policy on earmarks. It's better than his previous one, the airdrop policy, but it's a far cry from full transparency." It's that transparency issue that we've been trying to get at.

Continuing the quote:

"In a remarkable press conference Monday in which he read nearly every word of a 14-page earmark policy declaration before taking questions, Obey pledged that Democrats would fully disclose every earmark and its sponsor by the end of July."

I would say to my colleagues, that is well past the proposed date that we are supposed to be voting on this and every appropriations bill in this House. So we will know every earmark and its sponsor by the end of July, at which point we can do absolutely nothing about it.

Continuing the quote:

"That kind of disclosure would be only partially in keeping with the earmark rules Republicans put into place in September, after they got into no end of political trouble for corrupt, opaque special-interest pork trading. But the GOP rule made it possible for earmarks to be individually challenged in debate on appropriations bills." And that's the point.

We heard the debate last night repeatedly that went something like this: Well, you Republicans put in earmarks, thousands of earmarks, and you airdropped earmarks into bills in conference, and so you did it, we're going to do it. But we're going to do it better because we're going to post a list sometime in July or August, at which time nobody will be able to vote on it.

Mr. Chairman and my colleagues, the earmark process in this body, in this Congress, on both sides of this Capitol, has been broken for years. There is no question about it. There is a reason why many of us have decided that the process is so broken that we won't participate in it. So claiming that you were bad and, therefore, we can do it,

strikes me as a very hollow and weak argument. I hope my colleagues would agree with me on that. Just because somebody made a mistake doesn't mean that we are then authorized to make a mistake. We are seeking transparency. That was the promise made to us and the American people, that we would be able to look at these earmarks and be able to debate them on this floor and be able to vote on them on this floor, not have them given to us, pulled from what has been called a secret slush fund. Frankly, I don't know what else to call it. Because in this very bill that we are debating today, we simply don't know where that money is and where it's going.

□ 1200

Mr. EDWARDS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I was gone yesterday because of the funeral of a dear friend of mine in Texas, and I only returned to Washington late last night. I was listening to the debate last night and then this morning.

I must say, it is a great country when the architects of the largest deficits in American history can come to the floor of this House and have the right to stand up and lecture other Members about fiscal responsibility and the need to reduce earmarks.

As a Democrat in the new majority Democratic House, I am proud to be part of an effort that is reforming the earmark process, making it more transparent, reducing the number of earmarks, and we are moving this country in the right direction.

Speaking of moving this country in the right direction, I think most Americans would like to see this House on a bipartisan basis move forward and pass one of the most important pieces of legislation we will vote on this year, and that is the legislation to defend the American family, our families, from the threat of terrorism and the threat of terrible natural disasters.

Now, Mr. Chairman, if anybody wonders whether the debate we are hearing from the other side of the aisle is a delay tactic or not, I would ask those listening, do you even know which amendment is being debated right now. I have been sitting here for 30 minutes, and I have not heard much of anything, if at all, about the amendment before the House. I think that is good evidence that what this is really about is not a substantive debate on the amendment before the House. It is a stalling tactic, because those who lost the majority because they could not set the right priorities for this country are now trying to stop the new majority from moving our country in a new direction and trying to stop us from making a top priority out of defending our homeland, our communities and our children and families from the threat of terrorism.

For the record, let me just say, in case you haven't heard it from the minority side, the amendment we are sup-

posed to be debating right now is an amendment by Mr. MCHENRY. His amendment would actually cut in half the general counsel's budget for the Department of Homeland Security, basically putting at jeopardy the operations of one of the most important agencies in our country.

It is a fact of life that one must have a general counsel's office in order to follow the laws of this land and in order to implement programs effectively and efficiently to defend our homeland, and I think it is irresponsible to propose cutting that in half.

It is not only irresponsible in my book, I find it interesting that some of the very same Members of this House who are saying we should not vote for my Homeland Security appropriations bill that spends \$1 more than the President's budget requested because we should listen to the President, now those same people are turning a blind ear to the President's request and the need to have an adequate general counsel's office and are trying to gut the general counsel's office in half. They need to make up their mind: is it critical that we do what the President asked for or not.

In fact, I think we should exercise our constitutional independent authority as Members of Congress and pass the appropriation bill that we think is right for defending our country. I make no bones about my support for some of the increased funding in this bill compared to the President's request.

Let me be specific: the President's budget would propose cutting the first responder training program from \$88 million to \$38 million. There might be some of my colleagues on the Republican side of the House that think we should simply make that cut because the President asked for it. I disagree.

What would be the consequence of such a disastrous cut? It would eliminate over 900 specialized training courses for emergency responders. Those emergency responders are firefighters, police officers and EMS personnel. They are being trained in a coordinated national training program to help protect our families' lives when our communities are hit by natural disaster, or God forbid, by terrorist attack. The proposed cut in the President's budget would actually stop specialized training in prevention protection and response recovery to over 100,000 emergency responders each year.

I am proud that this budget, which by the way passed the House Appropriations Committee on an overwhelming bipartisan voice vote, this budget, this bill, is a good bill. It does spend more than the President requested, but for the right reasons: to defend Americans from the threat of terrorism and natural disaster.

The Acting CHAIRMAN. The time of the gentleman from Texas (Mr. EDWARDS) has expired.

(On request of Mr. ROGERS of Kentucky, and by unanimous consent, Mr.

EDWARDS was allowed to proceed for 1 additional minute.)

Mr. EDWARDS. Mr. Chairman, I yield to the ranking member of the Appropriations Committee.

Mr. ROGERS of Kentucky. I have a question: Shouldn't all items in an appropriations bill, whether it be for an agency or for directed spending by a Member of Congress, should that not be voted on by the entire body, and shouldn't we have an opportunity to inspect as a body all spending in an appropriations bill, including earmarks?

Mr. EDWARDS. Reclaiming my time, the fact is that Members of Congress, the House and the Senate, will have an opportunity to vote on this legislation. If there are egregious projects in this that come from the administration or from individual Members of Congress, they can vote this bill down.

I hope we can get back next year to the regular order of business; but the reality is that this Congress had to dig out of the hole created by the leadership in the last Congress that didn't pass 11 of 13 appropriations bills, and that is one of the reasons we are in this situation today.

Ms. KILPATRICK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as a Member of the Homeland Security Appropriations Committee, I come to you, America, with a good bill. It is unfortunate the tactics over the last 24 hours has not allowed us to move forward to protect American citizens.

The President's budget came to us with a cut of \$50 million for the first responders. Homeland security has to talk about hometown security. It is about a partnership with our Federal Government, our State government, and our local communities. So right off the bat a budget that cuts first responders \$50 million is not a good budget.

We have before us a good budget, a budget that has been put together so that it takes care of hometowns better than presently. So that if, God forbid, another terrorist attack or natural disaster happens, we will be better able to meet that need. It is a budget that I believe deserves our support. And when passed by this Congress, and I predict it will be passed after the tactics have wilted and gone away, then we will have a good bill.

I am from the State of Michigan. In Michigan, we have the largest population of Arab Americans outside of the Middle East. They have been our friends for decades. They work in our communities and go to school with our children. They produce and pay taxes. It is unfortunate after 9/11 a population of Arabs from other countries brought havoc on our country, and they should be caught, they should be punished, and they should be dealt with.

I only mention the Arab population because I also in my district have the international waterway of the Detroit River that separates the city of Detroit from the country of Canada, Windsor,

Ontario, Canada specifically. Canada is one of the greatest friends that our country has. I am sad to report, as you know, many countries in this world are not so friendly to the U.S. because of many things that have happened by this administration over the last 8 or so years.

But the bill before us is a good one. It protects the northern border where I come from, where things come in and out of that border every day. Over a billion dollars of commerce passes the Ambassador Bridge every day. This bill provides more money to protect America, protect commerce, and protect the people who live in that region.

The local grants, the grants to first responders have been increased in this bill. We need to have that partnership. You can't talk about homeland security unless you talk adequately about hometown security. This bill does that.

We talk all of the time about how we move forward in this country. I believe it is how we work together in a bipartisan way; and over the last almost 24 hours now, in a bill that is almost \$35 billion, we have been unable to move forward to protect Americans citizens. Your Federal budget is \$2.9 trillion. There are three main entitlements that we pay for to help American citizens, 44 million Americans who are participants in our Medicare program, entitlements that are part of that budget, Medicaid, low-income, disabled children, over 40 million of them who are part of this budget. And our veterans, veterans who have protected this country since our inception. We have to treat them better, and this budget and the budgets that come after this do that. The President's budget did not.

This is the first of 12 budgets, and it is unfortunate that we are at a stalemate and can't protect American citizens.

Mr. Chairman, I stand here asking that the process go forward. You have made your point. We hope that we come back and have some kind of dialogue so we can better make the proposition that America deserves to be protected, as this Homeland Security bill does.

In the metropolitan area of Detroit, we have 5 million people who live in that area, 219 cities and townships. It hosts the largest multicultural population probably in this country. We need a good Homeland Security bill. We have one here before us. Let's let the process go on. I hope the leadership on both sides of the aisle can come together and talk about how we can move this process. We don't need to be stalemated. Yes, we can stay. We can stay for the next 2 months and never go home, but is that really what America needs us to do?

Recently, regarding the Congress, like the President, the American people have said they are disappointed with both of us. They want us to move forward. Let's pass this Homeland Security bill and get on with the business of building the Nation for God's children.

Mr. PEARCE. Mr. Chairman, I move to strike the last word.

Before the gentlewoman from Michigan leaves, I wonder if she would yield to a question.

I was wondering, the gentlewoman mentioned, and I appreciate what she is saying about leadership getting together, she mentioned a \$50 million cut to first responders. Can you tell me how much is unspent from previous appropriations?

Mr. Chairman, I yield to the gentlewoman from Michigan.

Ms. KILPATRICK. Not at this time, but I would be happy to work with you to get that. The money has been appropriated. All of the locals that have come before our committee have asked that we give them more help. Intraoperability is a major problem. They need the technology so they can operate and protect the people they represent.

Mr. PEARCE. Mr. Chairman, reclaiming my time, I would just comment that there is \$5 billion in the first responder grant program which has not been accepted by States, and each year about September they have to give back a portion of that. And the underlying bill appropriates \$4 billion more, and that is the reason that the President cut \$50 million out.

He said there is so much money unspent, let's begin to lower the level we are pouring into it, and it seems to me a reasonable suggestion.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. PEARCE. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, the gentleman is correct. There is nearly \$5 billion in the grant funds for State and local communities for first responders. It has been there for a couple of years.

I don't know why we don't insist that the authorizers in this body write the rules so that these communities can get their hands on that money and use it for the purposes for which it was intended. The money is laying there. I don't know why we are continuing to pour billions more into it when the hopper is full already. Let's fix the system and unclog the pipe that drains the hopper.

Ms. KILPATRICK. Mr. Chairman, will the gentleman yield?

Mr. PEARCE. I yield to the gentlewoman from Michigan.

Ms. KILPATRICK. I certainly agree with the gentleman. We need to see that the money moves out. There also has to be staffing and organizations to make sure that the money that is appropriated is spent wisely. Locals need it, and it is our responsibility to get it to them.

Mr. PEARCE. Mr. Chairman, I have a question for the gentleman from North Carolina (Mr. PRICE). He mentioned last night that the underlying amendment is Mr. MCHENRY wanting to take money out of the appropriation for the lawyers, and he pointed out we have 77

staffers in order to watch for circumstances like the Dubai Ports.

I would comment that the gentleman's party has been in the majority now since January, and 80 percent of our ports are still controlled by foreign countries. Have you put a bill in? If that is true, and it is, 80 percent controlled by foreign countries, that is the exact circumstance you mentioned we would not want to cut this budget for. I am asking if the gentleman knows of any plans on his side to simply eliminate those contracts, to take the contracts away from the foreign countries. It seems like if the gentleman is concerned, 80 percent of our ports are controlled, that there would be something in the works to do that.

Mr. PRICE of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. PEARCE. I yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. Is the gentleman suggesting that those contracts should just be cancelled outright by legislative fiat?

Mr. PEARCE. I am asking. The gentleman seemed concerned, and I am asking him if he has any intent to do that.

Mr. PRICE of North Carolina. As the gentleman well knows, there has been a great deal of concern on both sides of the aisle about the functioning of the Committee on Foreign Investment in the United States. There is a consensus, I believe, that CFIUS slipped up on this Dubai Ports deal and that CFIUS needs to be strengthened.

Mr. PEARCE. If I may reclaim my time.

□ 1215

Mr. PRICE of North Carolina. You asked me a question about the 77 legal positions in the general counsel and the directive that the next hiring be to strengthen up this CFIUS capacity.

Mr. PEARCE. Reclaiming my time, Mr. Chairman, I appreciate his answer, and I did hear him say that those are valid contracts, but I would point out and I'm reading now from a January 17 bill where the majority in their H.R. 6 bill, the Washington Post editorial says, "The House would break this deadlock by imposing heavy penalties on firms that do not renegotiate on terms imposed by the government."

And it says, "The main problem with the House bill is that hitting up oil companies is a poor substitute for a real energy policy. The Nation needs to accelerate the development of less-carbon-intensive fuels," and it declares in this that the heavy-handed attack of H.R. 6 is something that would be welcome in Russia and Bolivia and other countries but not in the U.S.

And so my point is that the gentleman's party has already decided that contracts are not especially valid, but I would simply say that if contracts are valid contracts, then they should be valid throughout the spectrum of vision that the gentleman has.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

First, I'd like to start out by saying that I do serve on the Homeland Security Subcommittee of the Appropriations Committee. It's a deep honor for me to be there. It's a deep honor for me to work with Chairman PRICE, who is an honorable man and has done hard work on this bill. It's an honor for me to work with Ranking Member ROGERS, who has done hard work on this bill.

And I agree with my colleagues on the other side of the aisle that there has been a lot of diligence on this bill, a lot of hard work on this bill, and in my opinion, every Member of this Congress probably has, as a first thought, what the Homeland Security Department does to protect our families from terrorists around the world and from other disasters that can strike our families. I can assure you that this subcommittee certainly does that.

This hard work being done does not mean that there aren't differences of opinion on how things should be done because, in fact, in our very subcommittee, and in the overall committee of the Appropriations Committee, there is a difference of opinion on directions that we should take.

Just, for example, on the issue of the border fence, there are those who think that the border fence needs to be built and it needs to be built now, and all obstructions have to be taken away from that that might obstruct building that fence. I happen to be one of those people, and yet, honorable men and women disagree. And those who are in the majority, they do set the policy for the bill that is before us today.

I personally think that it's our duty and responsibility as Members of Congress to debate the issues, whether you're on the Appropriations Committee or not, and by raising issues that are being raised on this side of the aisle on this bill, that we are saying that the Appropriations Committee has not done their job. We're saying we want to put a microscope, put sunshine on the process and see what we see, and then each Member, whether they be right on their amendment or whether they be wrong on their amendment, certainly has the responsibility to submit their opinion on this bill.

We talk about a term that I think that's kind of peculiar, and I certainly was not a Member of this Congress when whoever came up with the term "earmark," but there's a whole lot of folks in the United States that know what an earmark is, and it doesn't have anything to do with what we're doing here in Congress today.

It has to do with a method of identifying livestock, and in old days and maybe in some more rustic scenes today, an earmark was actually the notch cut in the ear of an animal. Now, I'm sure that's offensive to many people, but today, it generally is a tattoo or a tag that designates what the owner intends to do with that animal. And at least in the ranching business, they go out and they mark those that are the keepers and the culls. There are

the animals that they're going to keep in their breeding stock, and there are the culls which are the ones they're going to take to market and sell as one way the earmark functions.

And the owner of that livestock designates someone to make that designation of how they should earmark the livestock, and I assume that whoever came up with the term "earmark" as it relates to special projects in the appropriations process thought it was a good term because basically, that's the decisions that the owner, i.e., the voter, the American public, asks their individual representative to make about the spending on special projects that's going to be done by the United States Congress.

And so who is the designated person for the 31st Congressional District to make this decision? And I think the people elected me to do that. I think there are 435 individual people here that the folks who originally own this money and gave it to us to use, they said you make the decision on how this money is going to be spent. This is a republic, and we have sent our representative to speak on our behalf to say this is a project that has worth and this is a project that has no worth; this is a keeper and that is a cull.

And that is actually the duty and the responsibility by our oath of every person who sits in every chair of this House.

The Acting CHAIRMAN. The time of the gentleman from Texas (Mr. CARTER) has expired.

(By unanimous consent, Mr. CARTER was allowed to proceed for 1 additional minute.)

Mr. CARTER. Mr. Chairman, the reason we are in this debate today, one of the reasons, is we have created a process where instead of 435 people will meet their constitutional obligation of their oath to determine how the earmarks will be spent, we have narrowed it down to one or whatever his designation may be, and I think that is inappropriate, although I will say and I wish to end by saying Mr. OBEY is an honorable man, and I have the greatest respect for him.

But that's not the way we were supposed to act when we came to Congress. We were supposed to participate in this process of determining the earmarks.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

As a New Yorker, I must tell you as honestly and openly as I can, that the hours that we have spent on this issue are an embarrassment, an affront to every New Yorker who experienced 9/11, who went down to that site, and saw our brave men and women responding to the emergency, every New Yorker who went to a funeral, to talk to a family about the loss of their loved one because of the lack of interoperability for one thing.

I cannot understand how my friends on the other side could be spending all these hours debating earmarks when

we should be passing one of the most important bills of the House.

As Chair of the committee that funds State and Foreign Operations, I've always worked in a bipartisan way. I know my good friends, DAVID PRICE and HAL ROGERS, have always worked in a bipartisan way. We should get on with the business of this bill, and I would be embarrassed to have a constituent watch us, spend all night, all day focusing on Member-directed projects.

You and I know that they need to be evaluated. A process has been in place for transparency. I think we've moved in a very positive direction. So let's get on with the business of this bill.

We have no higher priority than to take every action necessary to protect our country, and I would just like to highlight a few of the provisions in this bill that are so important.

The first would create a pilot program to screen airport workers, and I've worked in a bipartisan way on this issue. In March, two airport workers in Orlando boarded a plane and made it to Puerto Rico with a bag containing firearms and drugs, and this incident set off an alarm, reminding us that we've waited far too long to take sufficient action. Those who have unfettered access to sterile and secure areas of airports need to be physically screened. Meticulously screening passengers but giving workers open access is like installing an expensive home security system and leaving the back door open. This bill is the first step to close this loophole, something that is supported by Members on both sides of the aisle.

Aviation security enhancements are not limited to airport worker screening. The bill makes the necessary investment to purchase and install explosive detection systems. Last year, British authorities uncovered a plot to destroy airliners over the Atlantic, which the terrorists believed would be on the same scale as the September 11 attack. We have to do all we can to reduce our vulnerabilities, particularly to known threats that terrorists have attempted to exploit.

The second item I would like to applaud is the inclusion of much-needed funds for interoperability grants. After September 11, I wrote a bill to require the administration to create an office and grant program dedicated to interoperability and to implement a national strategy. Since that time, the office has been created, and last year's appropriations bill included my strategy proposal. This bill would fund that grant program, which the House overwhelmingly approved in January as part of the 9/11 bill.

I encourage all of my colleagues to go back to their districts and ask first responders what the Federal Government can do to help them. I guarantee that one of the most frequent responses will be interoperability and communications problems. This bill provides not only the funding, but language on standards and other planning provisions that are beneficial.

Third, this bill significantly enhances our ability to protect our ports. One of the biggest fears of security experts is that a terrorist will bring a nuclear weapon into the country through a port. This bill nearly doubles the funding for grants to protect ports and provides much-needed funding for the Domestic Nuclear Detection Office to develop and deploy the next generation of radiation portal monitors.

A fourth improvement is transit security. In the last 5 years, terrorists have attacked trains in Madrid, London and Mumbai.

The Acting CHAIRMAN. The time of the gentlewoman from New York (Mrs. LOWEY) has expired.

(By unanimous consent, Mrs. LOWEY was allowed to proceed for 2 additional minutes.)

Mrs. LOWEY. Mr. Chairman, this bill would provide \$400 million, more than twice the amount previously provided, for first responders to reduce this glaring vulnerability.

This bill is full of substantive provisions to assist first responders that we need to debate. For example, I look forward to considering several substantive amendments such as one submitted by my friend on the other side of the aisle that would assist a program that provides a ring around New York to prevent a terrorist from bringing a nuclear weapon into the city. But we can't have that debate and others about making our Nation safer if the minority continues to insist on pushing procedural roadblocks.

In addition to serving on the Appropriations Subcommittee, I'm a member of the Homeland Security authorizing committee. We know that the threats against our country are real. Let's end these procedural delaying tactics.

Although the chairman, the ranking member and the members of the committee have produced a really important bill, I know that many Members who are here getting up to speak may have additional thoughts, additional ideas to make our homeland safer. Shame on all of us if we're spending the time arguing procedural tactics and not focusing on the homeland security issues that are before us. As a New Yorker, I am personally offended. Let's move on with it.

□ 1230

Mr. FARR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the problem with this bill is there is never a last word. There is a big debate going on about earmarks, when there are none in the bill. There were none in last year's bill or the year before's bill. This is the first bill to come before the floor, and they attack this bill saying where are the earmarks.

Well, there are none. Speakers on the other side of the aisle can't stand the fact that there is a new congressional leadership here. It's rolling up its sleeves and doing the oversight work, the oversight work for an agency called

Homeland Security that was created just a few years ago, the biggest bureaucracy in modern American history, 200,000 employees, \$36 billion in expenditure, made up of all kinds of things from airports, seaports, Border Patrol, immigration, the list goes on and on.

The leadership of this committee decided to really put some fact-finding into it. It had more hearings than any committee in history in this subject matter, visited more sites, visited the borders, the hot spots, visited Katrina sites, talked with Customs and Border Patrol, with harbor district patrol, with Coast Guard, with truck inspectors at the Ota Mesa truck center, the biggest truck inspection center in the word; with the San Ysidro crossing, the largest traffic crossing in the world.

You know what every one of those patrolmen and inspectors told me? We can't do our job unless you pass a comprehensive immigration bill. It's not just about more fences and more assets on the border. It's about the whole enchilada, the whole immigration bill.

I think there is an underlying current here. They don't want an immigration bill, and they know that this is the agency that deals with it. So it's a delay tactic.

Now, a delay tactic, we have been here for 24 hours. We have taken up two amendments. The first amendment cuts \$79,000 out of the administrative office of Homeland Security, \$79,000 out of a \$36 billion bill. But, wait, they adopted a second amendment. It was for a cut for \$300,000.

We have successfully cut \$379,000 out of a \$36 billion bill. It's taken us 24 hours, numerous procedural votes to adjourn, to rise, to do anything but deal with the issue. We ought to be very proud of ourselves.

We have been able to cut one one-thousandth of 1 percent. That's what the great might of the United States Congress has been doing on this bill.

Now, I know that the other side of the aisle likes to cut, squeeze, and trim. They are cutting the agency that they like the most. They are cutting an agency created by President Bush, they are cutting the money that President Bush asked for in this bill, and they have introduced another 110 amendments to deal with more cuts, more frivolity.

Where's your leadership? This is an important bill. It's probably the best-combed bill, best-managed bill in the history of this agency. You ought to be proud of it. You were proud of it in committee, because nobody voiced a negative vote.

So it was unanimous in the Appropriations Committee, everybody liked the bill. Where is your leadership? Where is your responsibility?

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The Chair must ask the gentleman to address his remarks to the Chair.

Mr. FARR. Mr. Chairman, this bill is about finding the answers to interoperability. You have seen that we have

interoperability right here. This bill is about responding to first responders, to be a first responder.

The other side of the aisle is neither operable nor responsible for being first responders. Don't call on them next time there is help needed.

Mr. BOUSTANY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as I look at the flag behind the Speaker's chair, I am reminded about how great our country truly is. If our country is going to remain great, we have to face the threats that are out there, and there are many, many threats.

Clearly, the Homeland Security appropriations bill is an important piece of work to deal with those threats. But there is a threat that's not quite so insidious, and it's the threat of spending, runaway spending in the face of the second largest tax increase in American history.

We need to get serious about this threat, this threat to future generations. We owe it to the American family to be responsible stewards of their hard-earned tax dollars.

I am gravely concerned about the disconnect between a lot of the high rhetoric I hear coming from the other side and the harsh reality that we seem to face here. The rhetoric we hear from the Democratic leadership is about fiscal responsibility and oversight and transparency and full disclosure. But the harsh reality is about none of those things.

I don't see full disclosure here. I don't see transparency. I am deeply concerned about this threat of runaway spending.

Now, I have to say, I fully appreciate the hard work done by the Homeland Security Appropriations subcommittee and the full committee. The chairman of the committee, the full committee, and the subcommittee, as well as the respective ranking members, have done a lot of hard work.

But their work is incomplete. Their work is definitely incomplete. It's the responsibility of every Member of this body to provide oversight, not just the committee's responsibilities. That is our responsibility, and we have to live up to it.

It is clearly a major responsibility as we look at these possible earmarks that are going to be airdropped into this at a later date. The process is clearly flawed, and the American people clearly deserve better.

I reflect upon a statement by a very famous British statesman, when the British Empire was at its height in the 18th century, and it goes like this: 'Magnanimity is seldom not the wisest course for a statesman, for empire and small minds go ill together.'

I would submit to you that magnanimity is a very important American virtue, and magnanimity is also the responsibility of the majority, whoever happens to be in the majority.

I ask the majority to live up to its responsibilities.

Mr. WHITFIELD. Mr. Chairman, I move to strike the last word.

PARLIAMENTARY INQUIRY

Mr. WHITFIELD. Before I speak, I would like to make one parliamentary inquiry.

The Acting CHAIRMAN. The gentleman will state it.

Mr. WHITFIELD. If I yield time to the gentlelady from North Carolina at the end of my remarks, and if she made a decision that the House do now rise, is that permissible?

The Acting CHAIRMAN. The gentleman from Kentucky would first have to yield back his time in order for a motion to be in order for the committee to rise.

Mr. WHITFIELD. But I can yield time to her for her to speak?

The Acting CHAIRMAN. The gentleman may yield to her during his 5 minutes.

Mr. WHITFIELD. Mr. Chairman, I want to first of all thank the chairman of the subcommittee on the Democratic side and also on the Republican side for the hard work that they have shown in establishing this appropriation bill for Homeland Security.

Last night I was reading a poll, and I noticed that Congress, as an institution, has an approval rating of less than 30 percent. That certainly is not caused by the leadership of the Democratic Party, because when the Republicans were in control a few months ago, Congress had an approval rating of less than 30 percent also.

But I think it reflects the frustration of the American people about the institution of Congress and how Congress works. I welcome this debate on the earmarks, because I do not view this as a delaying tactic, but I think this is an issue that is even deeper than earmarks and the way that they're handled by the Appropriations Committee.

I am speaking specifically of the fact that the chairman of the Appropriations Committee yesterday mentioned that there was something like 32,000 earmark requests, and that there was not ample time to get through these appropriations bills. Yet every year Congress is consumed by the appropriations process, and every year it takes more and more time, and every year, frequently, we do not even pass all the appropriations bills in the House and the Senate, and we do continuing resolutions, and then we do omnibus bills. The omnibus bills come to the floor, and sometimes they are 8 or 9,000 pages and Members don't even know what's in there, and we are voting on those.

I would remind the Members that about 6 years ago we introduced legislation that would ask the House to go to a 2-year budget and 2-year appropriations process. That bill received over 200 votes in support of it, because I think all of us recognize that this appropriations process and budget process that we now operate under is broken. It simply does not work.

One of the frustrations, I will be very honest about it, on the earmarks is

that there is a perception among Members who are not on the Appropriations Committee that the vast majority of earmarks go to the appropriators.

Yet all of us represent the same number of people, all of us represent taxpayers, and all of us are entitled to earmarks.

But it's an unfair process.

I know, from discussions that I have had with a lot of Members, I know appropriators get upset with authorizers and say authorizers are not doing their job, and authorizers get upset with appropriators in saying appropriators are authorizing on appropriations bills when they want to.

So I think what this institution needs to do is go to a 2-year budget process, a 2-year appropriations process so that one year we can sit here and argue about money, but the next year we can argue about authorization and reforming education and health care and some of the substantive problems that the American people face instead of every year being totally consumed by the appropriation process.

To me, that's the problem we have today.

Mr. Chairman, I yield to the gentlelady from North Carolina.

Ms. FOXX. I thank my colleague for yielding.

Mr. Chairman, I want to respond to some of the comments that have been made on the other side. I share the concern that the gentlelady from New York said that this is an embarrassment. She is right. It is an embarrassment that we have to be doing this, but it's an embarrassment to the majority party, because there are principles involved here.

You promised things you are not fulfilling. That's why we are bringing these issues up, and we're going to continue to quote the things that are happening and remind you that that's the reason.

CNN.com today: "Obey says that earmarks can still be scrutinized before the spending bills go into effect, but nonpartisan advocacy groups like Public Citizen says it's not enough." Craig Holman, legislative representative for Public Citizen: "It violates the whole spirit of the reform itself. We really did expect that earmark requests were going to be an open book so that all of America could sit there and take a look at who's requesting what earmarks."

We're not saying we are opposed to the underlying bill and we're not doing this for delaying tactics.

The Acting CHAIRMAN. The time of the gentleman from Kentucky (Mr. WHITFIELD) has expired.

(On request of Mr. WHITFIELD, and by unanimous consent, Ms. FOXX was allowed to proceed for 1 additional minute.)

Ms. FOXX. Mr. Chairman, I also point out that last year, when we debated this bill, the majority party offered 70 amendments to the bill and took over 2 legislative days. We have

not even been in this for one legislative day yet, and we're getting complaints that we are utilizing delaying tactics. Let's not say what we should not be doing.

Last night, also, Mr. OBEY said that professionals will look at these earmarks. We get complaints all the time that the staff runs this place.

I'm offended by that remark. This is a job for the Members of Congress to be doing. This is not a job for the staff to be doing. I consider we are professionals at this business, and we don't need to delegate the looking at earmarks to staff members. We need to be doing that ourselves, and we need to do it in this process.

Mr. EDWARDS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would suggest that if my colleagues think holding hostage the Homeland Security bill, the bill that funds and protects our cities, our communities, our seaports, our airports from threat of terrorism, if they think that holding up that bill is going to win back the majority, I would suggest that's the same type of out-of-touch approach that caused them to lose their majority in the last Congress.

One of the reasons they lost that majority, the American people wanted this Congress to put first things first to deal with the highest priorities of this country. Yet the previous leadership on the other side of the aisle, constantly, day after day, month after month, got us involved in unimportant issues.

□ 1245

With the new leadership, we're trying to take a new approach.

What's happened, to summarize, this week, we had the chairman, Mr. PRICE of North Carolina, the chairman of the Homeland Security Appropriations Subcommittee, who put together a bipartisan bill that passed without opposition on a bipartisan basis in the full Appropriations Committee.

Then, the Republican leadership comes along and says, uh-oh, we've got to make a point, and let's hold the Homeland Security Appropriations bill hostage.

If they think that's what the American people want, I think they're sadly out of touch with the priority of Americans in wanting, above else, this Congress to work together to defend our communities and our families.

Where are we? Well, we have Republicans that failed to pass 11 of 13 appropriations bills in the last Congress, they're now trying to kill appropriation bills in this Congress.

What do we have? We have the architects of the largest increase in earmarks in congressional history lecturing us and the American people about earmarks today. And the sad thing is, that not only are they holding hostage the Homeland Security appropriations bill to protect our families and communities, I would speak as the chairman of the Veterans' Affairs and

Military Construction Appropriations Subcommittee in saying that this delaying tactic is holding up a bill that should be on the floor right now that will provide the largest increase in veterans health care spending in our Nation's history.

So not only is the Republican leadership in this House holding up homeland security, now they are delaying the passage of important legislation that our veterans and our military troops and their families deserve.

At this point, Mr. Chairman, I'd like to yield the rest of my time to the chairman of the Appropriations Subcommittee, Mr. PRICE.

Mr. PRICE of North Carolina. I thank the gentleman for his very helpful comments. And I want to pick up where Mr. PEARCE left us a few minutes ago. I never had a chance to respond to his comments about unspent funding. So I want to take just a minute, if I might, to talk about what the committee, in fact, has done about grants and what kind of funding is available for those versus what we're going to appropriate for fiscal 2008.

We have made some key investments in this bill in State and local grants. The State grants are a modest increase over last year, something like 6 percent. But we've made much more substantial increases in transit and rail grants, which I think, on a bipartisan basis, Members of this House have said is a vulnerability. Certainly they said that on the port security matter with the Safe Ports Act. We have made some increases there.

Fire grants, have broad bipartisan support, as does the SAFER program. So in a number of these areas, we have gone somewhat above last year's funding and above the President's request. But we've done that on the basis of strong evidence and strong bipartisan support that this is needed.

Now, what about the allegation that this money is in the pipeline, that we really don't need to turn to the appropriations process for additional funding?

The charge was made that there's \$5 billion unspent in these grant programs. Well, \$4 billion of that is obligated. That leaves \$1 billion. Let's talk about the \$1 billion. \$600 million of the \$1 billion of unobligated funds are from funds awarded to States and localities during the last 6 months. The remaining \$400 million in so-called unobligated funds are from older grants that are actually most likely obligated.

The Department tells us they're only now bringing older data on-line into their grant system, but it's very, very likely that all of that \$400 million is obligated.

So forget about \$5 billion in unspent funds. It isn't there. We must face up to the implications of needing to do more in these various grant areas.

Mr. EDWARDS. Mr. Chairman, could I ask unanimous consent for two additional minutes?

The Acting CHAIRMAN (Mr. WEINER). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. EDWARDS. Mr. Chairman, I yield my time to Mr. PRICE.

Mr. PRICE of North Carolina. Now, if the allegation is that the Department of Homeland Security has not been nimble enough, has not been responsive enough in getting the grant funds out there, then you certainly won't get an argument from us. Our approach has been to work cooperatively with the Department to improve performance.

There are two provisions in particular in this bill to ensure that Federal bureaucratic hurdles are lessened so that the funds can be used for their intended purpose more efficiently.

As in prior years, the bill mandates that within 60 days of enactment, 80 percent of the State Homeland Security grant funds must be passed through from States to localities. And, as in prior years, the bill mandates a schedule for DHS to issue grant guidance and make grant awards, ensuring that funding reaches grantees in the shortest time possible.

Now, we need to continue pressing. We need to continue working on this. But I think, in pressing the Department for responsive grant programs, we have bipartisan support on that. And in putting the money where we need to put it to make these additional areas safer, we have support on that as well.

All I can say is it would be nice if we would get on to discussing the substance of the bill, as opposed to dealing with desultory tactics.

Mr. DOOLITTLE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would just like to, this has been quite a process since we got rolling yesterday afternoon, and I know there's some frustration over not moving more quickly. But I do think Mr. BOEHNER made the point very clearly last night and it needs to be reiterated often, that we are simply seeking to have the opportunity to review the earmarks as a body while we can have some impact on it, rather than to have them, as has been said, airdropped into a conference report, where conference reports come to the floor and you have two options only. You can't amend it. You can either adopt the conference report, or you can reject the conference report. As we all know, it's very, very rare to reject a conference report on an appropriations bill. I only remember seeing that happen once since I've been here.

And I just think that, in light of all the rhetoric, particularly from the other side, about the need to have more transparency, and then an action is taken which completely eliminates the progress that had already been made relative to transparency and relative to accountability, and this whole process today really is about are we going to have the opportunity to review the earmarks in these bills, while we can make an impact on it, while we can single some out and remove them, while we can offer amendments, or are

we going to simply turn a blind eye, let this be dropped into the conference report? Basically, only, you know, mainly one person is going to control this whole process, and the entire rest of the House is shut out from this process.

That's why this process is moving so slowly, because of this fundamental battle. And, you know, it's seeming like every major media outlet in the country seems to be on the side of transparency and accountability, and yet the majority party continues down this road of avoiding transparency, avoiding accountability. And no good reason has yet been offered as to why we should take this extraordinary move going completely backwards on this issue, instead of having this out here in the light of day as it was intended, as we all argued for both sides should be the case. And that's what we're seeking to ultimately have prevail before this day is out.

Mr. Chairman, I'd like to yield the balance of my time to our ranking member, Mr. ROGERS.

Mr. ROGERS of Kentucky. I thank the gentleman for yielding, and I join in his frustration. This dispute about how the majority party is hiding earmarks so that the body cannot inspect them, is preventing us from discussing the merits of this bill, which, by and large, is an excellent bill, except for its overspending. And I'll have an amendment at the end of the bill to address that issue.

So there's really two issues we're talking about here; one is the earmark mess that we're in, and secondly, is the overspending in the bill.

The President has threatened to veto this bill if it exceeds a 7 percent increase. The bill now contains a 13.6 percent increase in spending. That's too much. We really don't need that much money. We do need, I think, a 7 percent increase, which is double inflation. That would take care of the needs that Homeland Security has.

And so at the end of the bill, I will be offering an amendment to give Members a chance to vote to slice 5.7 percent, across the board, off of the spending in this bill, leaving a 7.2 percent increase that has been requested of us by the executives.

And so, I would hope that Members would bear that in mind. At the end of the bill, you're going to have a chance to exercise fiscal responsibility. That's what we stand for. Fiscal responsibility.

So I would urge Members to hold their fire until that time.

Mr. PRICE of North Carolina. Would the gentleman yield?

Mr. DOOLITTLE. I'll yield.

Mr. PRICE of North Carolina. Let me just ask a question for clarification on the amendment that is before us which actually has barely been mentioned this morning. Is it not true that neither the McHenry amendment nor the Foxx amendment would be, in effect, incorporated in your amendment, since our expenditures for the item at issue

are already below the President's request?

Mr. ROGERS of Kentucky. If the gentleman would yield.

At the end of the bill, we will have to see what amendments have passed, and then we will look at that and see whether or not that would fit into our across the board cut, and if it might be modified to that extent.

Mr. RODRIGUEZ. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. Has the gentleman already spoken twice, on the amendment and the second-degree amendment?

Mr. RODRIGUEZ. Not on this amendment. I spoke on one of the other amendments.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. RODRIGUEZ. Mr. Chairman, I rise today, and I want to indicate how important this bill, H.R. 2638, is to the entire country as a whole. This bill has particular significance for any American concerned about promoting the necessary and difficult objective of protecting our homeland.

As a member of the Appropriations Subcommittee on Homeland Security, it has been a pleasure for me to work with the chairman and the leadership on adding language and enhancing the quality of this bill and strengthening the general provisions of it.

As a Member who represents a district that goes from both the Texas to the Mexico border, I'm distinctly aware of challenges that confront law enforcement officers charged with upholding criminal laws such as the drug and human trafficking. In recognition of this inherent danger represented to the law enforcement officials, also to private landowners along the border, and elected officials concerned about the border issues and statutory requirements imposed on the Department of Homeland Security to erect, also, the fence barriers that span 370 miles along the southwestern borders. I was also pleased to dialogue with the chairman on these issues and making sure that we go about them in the right way.

The first objective that I want to just briefly mention and talk briefly about is the fact that our border communities need additional resources. This bill begins to provide those resources. Our law enforcement on the cities, as well as the sheriffs that are unanimously in favor of doing what they can to protect our borders and to protect our communities need help, and they need help drastically. This bill begins to provide this assistance.

I wanted to, again, reemphasize the fact that this bill is an essential bill that allows us to be able to protect this country in a way that we should. I know the other side has talked about the bureaucracy and the fact that we haven't responded appropriately, and I agree with them. We haven't, and that's why we have added some additional resources. That's why we also

had 22 hearings of which I can tell you, because I have been here prior to this, and we had not had hearings the way we've had now to hold the agencies accountable. No one knows that better than myself.

I just had a community in Eagle Pass that went through a tornado that killed seven people, also hit the Mexican side, killing three, and the difficulty that I had in getting FEMA to respond and the administration to respond. So I understand the incompetency that exists within this administration and the fact that we've had difficulty in getting them to respond to our needs.

But the bottom line is that when we're hit with floods, when we're hit with drought, when we're hit with tornados and other, we have to be able to have the resources necessary for them to be able to do that. And so when we were hit in Eagle Pass, I remember distinctly going through there. I also went over on the Mexican side, and I deliberately went over there also because I know that they had been hit harder.

□ 1300

And I also went back because I know that the Mexicans, especially from the state of Coahuila, had come to help us during Katrina. They sent their support there in San Antonio, helping to feed some 20,000 that had come to San Antonio from Katrina, and I know that they had been extremely helpful.

But we have got to make sure that FEMA has the resources and that they are also held accountable. I know that we are going to continue to have additional hearings in order to make that happen.

I also want to personally thank our leader for helping us with the Stonegarden project.

I would like to yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. Mr. Chairman, I thank the gentleman for yielding.

And I commend him in turn for his work on getting help to the people dealing with the burdens of law enforcement in these border communities. That is what Stonegarden is all about. And he, together with colleagues on the Republican side, advocated very strongly for the Stonegarden funding in this bill.

We also have struck a balance at the gentleman's request. Some very careful work was done on what kind of consultation is desirable and necessary with affected communities before these border barriers are put into place.

So we make no apologies for holding the Department accountable for the technology that is utilized and the plan that is adopted so as to be as effective as possible, to be economical, and also to be responsive to these very particular border communities.

The Acting CHAIRMAN. The time of the gentleman from Texas has expired.

(On request of Mr. RODRIGUEZ, and by unanimous consent, Mr. PRICE of North

Carolina was allowed to proceed for 2 additional minutes.)

Mr. PRICE of North Carolina. There has been, Mr. Chairman, a steady flow of town and city officials from Texas in particular who have come to Washington to voice their concerns. We are going to visit them in very short order now to have a first-hand look before this bill goes to conference.

But the work that we have done on this issue, I believe, does strike the desirable balance. We appreciate the Members' input on that because these communities are concerned that the construction of this barrier not go on without some regard for their history and their needs.

Mr. RODRIGUEZ. Mr. Chairman, reclaiming my time, I want to thank Chairman PRICE.

I know that you also provided some guidance as we went to New Orleans and visited New Orleans and got an opportunity to see still the devastation and the fact that we haven't done enough there, and I want to personally thank you for the leadership in that area. We not only went there, but you also took the committee along the border to look at the fences that are out there, the barriers for cars and those things that are important.

Mrs. BLACKBURN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to speak on Ms. FOXX's amendment, and I thank her for being one that realizes one of the threats that we face is a growing Federal budget and out-of-control Federal spending.

And as we have talked about threats this morning as we are debating this Homeland Security budget, it is not lost on us that this is a \$36.3 billion budget. It is 13.6 percent more than last year and, as our ranking member has so wisely stated, 6 percent more than was asked for and more money than needs to be in that budget. And, certainly, it does not make good fiscal sense that this would be the type of budget document, this would be the type of appropriations that would be passed for this.

As we talk about threats, one of my colleagues mentioned that we were holding hostage the budget and loved using that term "holding hostage." Well, Mr. Chairman, I think that probably the American people who watch this debate feel like they are the ones that are many times held hostage and their paychecks are held hostage by the Federal Government.

The Federal Government has first right of refusal on that paycheck. They take out what they want before the taxpayers and our constituents see that paycheck. And, quite frankly, Mr. Chairman, I think they are tired of it.

And they are tired of the type of out-of-control spending that they are seeing from this new majority. They didn't like the spending that was there when we were there. Certainly there are many of us that think that we spent too much, and certainly many of

us worked very hard for the Deficit Reduction Act, the 2006 budget, that reduced \$40 billion of Federal spending.

Quite frankly, Mr. Chairman, I think the American people thought that you all were going to do better than that, that you were going to cut more than we had cut. But that is not what they are seeing.

We have got hundreds of billions of dollars more in spending certainly, \$105 billion more in new appropriations, 13 percent more in this single budget alone. It is out of control. Our constituents feel like their paychecks are held hostage, and, quite frankly, we think information is being held hostage.

Now, on the security issue and on this fence, sometimes those of us who are mothers talk about setting up situations that are going to be win-win situations for our children. We like to create an environment where things can succeed. Well, unfortunately, Mr. Chairman, when it comes to funding the fence, what the liberal leadership has done is set up a failure, because what you do is underfund the fence. Then you come along and \$700 million of this funding gets pulled into this gray bureaucratic red tape area that probably you are never going to see that fence built.

Now, we had a vote last year. We had 283 Members of this body go to a machine, put in their card, and punch the green button for the fence. That was the vote that was taken. So that leads us to say was that a politically motivated vote? Did they do that because they thought they were looking for reelection? Did they feel like that was what their constituents wanted? Because, certainly, we know one of the things we hear from many of our constituents is "secure the border first."

But now we have a Homeland Security bill and in this \$36.3 billion with a 13.6 percent increase over last year, we can't find the appropriate amount of money to fully fund a fence. And that is something that the American people want to see done.

Mr. Chairman, the debate that is taking place here, quite frankly, I think, is a very good debate. It is the type of debate we ought to have, and we ought to do this more often so that people can see what are the philosophies of the left and what are the philosophies of the right. So then they can get an understanding for the philosophical differences of how we view how to go about our jobs, how we view going about handling the taxpayers' money. I think this is a good thing for us to come here and talk about if we want to spend more, if we want to spend 13.6 percent more, or if we want to return to the model of the Deficit Reduction Act, the 2006 budget, and reduce \$40 billion worth of spending.

Mr. HALL of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, before I address the Homeland Security Appropriations

bill, I just wanted to comment that it is interesting, some might say entertaining, to be given a lesson in fiscal responsibility by those Members who helped to run up the biggest deficit and the biggest balance of trade deficit that this country has ever seen. But we will let that go.

For now I would just like to talk about, first of all, the fact that there are no earmarks in this bill. To talk about earmarks on a bill, the Homeland Security Appropriations bill, which has no earmarks is inappropriate and just a distraction.

In terms of first responders, the part that I would like to address, it is particularly important to my district, New York's 19th, which served and continues to serve New York City. Orange County in my district is the farthest north that first responders from New York are allowed to live. The firemen and policemen of New York may live only that far north from New York City because of needing to be there when they are called in a hurry. And as a result, we have had many fire and police who lost their lives on 9/11 and many are subsequently suffering from respiratory ailments from working on the Ground Zero pile. So we know, not only from that but from planning for other incidents, accidents, attacks that we need to be ready for, that first responders need our help and they need it from this bill, and this bill gives it to them.

This bill gives it to them through Homeland Security grants, which meet the needs of first responders including hiring, training, and equipping first responders. The President proposed slashing the grants by 52 percent. Instead, our bill restores this cut, providing \$550 million, which is \$25 million above fiscal year 2007 and \$300 million above the President's request for Homeland Security grants.

Local law enforcement terrorism prevention programs, this \$375 million program plays a key role in assisting local law enforcement agents in information sharing, target hardening, and counter-terrorism planning. The President's budget eliminates this program. Our bill provides \$400 million, which is \$25 million above fiscal year 2007.

Firefighter assistance grants, the President proposed to slash these grants by 55 percent. Instead, this bill restores the cut, providing \$570 million, \$23 million above fiscal year 2007 and \$270 million above the President's request. And SAFER grants, the President proposed eliminating these Staffing for Adequate Fire and Emergency Response, SAFER, \$115 million SAFER grants. The program was eliminated by the President in his proposal. We, instead, provide \$230 million, which is \$115 million above fiscal year 2007.

So in every instance in which first responders need our help, need the Federal Government's assistance, to be able to respond to fire, police, and other security and public safety issues and events, we are trying to provide

them with the resources that they need over the President's objections and over his cuts.

I am proud to support this bill, and I submit that I personally don't have any earmarks in it, and I don't know of anybody else who does. So let's please not discuss it in those terms but in terms of what makes the American people safer.

Mr. HENSARLING. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have listened very carefully to the debate last evening and today. And I have heard a number of complaints and concerns from our friends on the other side of the aisle. First let me speak to the process.

There are a lot of complaints that somehow we are spending too much time debating this appropriations bill. Well, Mr. Chairman, I would point out that the last appropriations bill, the one that funded our troops in harm's way, this body spent almost 4 months, almost 4 months, coming up with that appropriations bill. And, Mr. Chairman, as I look at the clock, we haven't even debated this one yet for 24 hours.

Mr. Chairman, we also hear that, well, if you care about homeland security, you have to pass this bill and you have to pass it today. Don't you care about homeland security? Well, Mr. Chairman, as an appropriations bill, to the best of my knowledge, there is nothing in this bill that will go into effect until October 1. So here we are in June and we are being told, no, we can't submit to Democratic procedures here. We can't thoroughly vet and debate this important bill. It has to be passed today, even though it doesn't go into effect until October.

And then, Mr. Chairman, we have heard, well, the reason that we don't have our earmarks listed in the bill, the reason that there is this secret slush fund that someday somehow will be unveiled to all is because, well, the staff hasn't had time to vet all of these earmarks.

□ 1315

Well, Mr. Chairman, again, when our friends from the other side of the aisle took over as the majority and rewrote the rules, apparently they didn't read their own rules very well. Members on both sides of the aisle became confused. Nobody even knew how to submit their earmark request.

So then to turn around and somehow point to this side of the aisle when it was that side of the aisle, Mr. Chairman, that created the problem. I mean, it's like the old proverbial person who is being indicted for murder who says, Well, please don't convict me, I know I killed my parents, but now I'm an orphan. Well, they are the ones who caused the problem, Mr. Chairman, so I don't quite understand why they are complaining about the process that brought us here in the first place.

As I listen to the debate, Mr. Chairman, and I do believe this is an important bill, and I believe there is a lot of

important work and very important provisions in this bill, but I think also there seems to be, as I listen closely to the debate on the other side of the aisle, there seems to be no appreciation whatsoever of the role the poor, beleaguered taxpayer plays in homeland security, like there is some unlimited vault from the workers of America to pay for all of this.

Mr. Chairman, those on the other side of the aisle, by refusing to do anything about entitlement spending, have put us on a fiscal course to where the next generation won't even have a Department of Homeland Security. Let us learn the lessons of history or we will be condemned to repeat them.

One of the reasons that the Soviet Union, the evil empire, doesn't exist anymore is because their economy collapsed. They could not keep pace. Their workers could not produce what was necessary to defend that state. And now we are looking at our friends from this side of the aisle putting us on a fiscal course that would render our total inability to provide for a Department of Homeland Security.

Now, I know the easy thing to do is kick the can down the road, worry about the next election, don't worry about the next generation; but Mr. Chairman, I don't think that is worthy of this body.

Mr. Chairman, ultimately this comes down to the role of earmarks and our ability to fund this. As my colleague in the other body, Senator COBURN of Oklahoma, has said, earmarks are the gateway drug to spending addiction. Now, I know there are many good earmarks, there are many worthy earmarks; I myself do not request them. But for many Members they have become that gateway drug to spending addiction, making it more difficult to fund our homeland security. Those on the other side of the aisle campaigned for increased transparency, and all we are asking is that Members have the ability to strike at these.

Mr. ALTMIRE. Mr. Chairman, I move to strike the last word.

I can understand why there would be some confusion on the other side about why we would need to move these appropriations bills in a timely manner because, yes, the fiscal year starts October 1. So what is the urgency, I'm hearing.

I can understand why there is a lack of recognition of the urgency because in the 12 years, Mr. Chairman, that the Republican Party controlled this House, they were able to complete all the appropriations bills on time exactly zero times. They were unable to do it any time in the 12 years they controlled this House.

So, yes, I understand there is some confusion about the process and why it is important to get these bills out on time.

If anyone is interested, the last time that all the appropriations bills were completed on time was 1994, which perhaps, by coincidence, was the last time

the Democrats controlled the process in this House. So we do understand the urgency of getting these bills done on time; and we do understand that October 1 is going to be here and we need to complete work on these bills.

Certainly, what has happened in the House the last couple of days, and I would expect is going to happen over the remaining course of the week, and perhaps months, does not bode well for our ability to do that because we are facing a lot of obstruction. I think it would be instructive to talk about what is actually in this bill rather than talk about the procedural gimmickry which is going on to prevent us from passing this bill.

The bipartisan Homeland Security Appropriations bill provides critical funding to improve the Nation's homeland security and implement the recommendations of the 9/11 Commission, which have languished for more than 4 years now. One of the first things we did in the first hours of this House was to vote to implement the 9/11 Commission recommendations. This bill moves us in that direction; it enables us to do that with the funding that is required. I don't think that is something that should wait any longer. We have already waited 4 years from those recommendations. We have waited almost 6 years since 9/11 to see this take place.

This legislation strengthens border security. I hear a lot of talk about border security and immigration. This bill provides emergency first responders with additional training and equipment, and improves aviation and port security, all important aspects of the 9/11 Commission recommendations.

We talk about immigration reform. This bill makes border security the top priority by devoting substantial resources to secure our borders not only against potential terrorists, but also to help stop the growing flood of illegal immigrants entering our country each and every day, totaling more than 12 million at this time.

In this bill, we invest in our Nation's most pressing security needs by hiring 3,000 additional border security agents. That's what we are talking about, we are going to secure the borders. We include \$1 billion for fencing. I think that is as important to people on the other side of the aisle as it is to people on our side of the aisle. I don't know why they're delaying this; that \$1 billion goes to fencing infrastructure and technology along the U.S.-Mexican border.

We commit \$2.1 billion to illegal immigrant detention and removal. We hear about this "catch and release" program as part of the immigration debate. This bill stakes a step in solving that problem. We are in the process of debating that. Let's get it done. Let's stop all the delaying tactics. Let's get this bill done.

This bill provides \$550 million in State homeland security grants which are used to hire, train, retain and equip emergency first responders. Is there

anyone in this House who doesn't think that's an important priority that we should make a priority and get this bill through the legislative process?

This bill increases funding for firefighter assistance grants. Unfortunately, the President recommended a 55 percent reduction. We put that money back in because I don't know that we can come up with any more important segment of our society than our firefighters, the brave men and women who put their lives on the line every day here at home to keep us safe.

We improve aviation security by doubling the amount of cargo screening on passenger aircraft, another key recommendation of the 9/11 Commission. So these are not things that should be delayed.

We invest in port security by providing \$400 million in grants to improve critical port facilities and infrastructure. And this Homeland Security Appropriations bill includes strong oversight measures to ensure careful spending of taxpayer dollars. I want you all to hear that: It eliminates the wasteful, no-bid contracts that have led to billions of dollars in losses.

The Acting CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. CARTER, and by unanimous consent, Mr. ALTMIRE was allowed to proceed for 1 additional minute.)

Mr. ALTMIRE. Mr. Chairman, what this bill does is give our brave men and women who respond to emergencies the tools and resources they need to protect our communities. I can think of no better way to show the American people that we are committed to this.

I urge my colleagues to support this bill.

Mr. Chairman, I yield to the gentleman from Texas.

Mr. CARTER. I thank the gentleman for yielding.

I just wish to correct your mistake in your opening statement.

I have been serving on this committee for the last 2 years, and the House of Representatives has finished the appropriations process by the 4th of July both terms that I served in Congress. So I think the statement made as an opening was a mistake.

Mr. ALTMIRE. Reclaiming my time, that has not been the case. The House has not completed its work. These bills were not finished and implemented by October 1.

Mr. CARTER. I beg to differ. These bills were passed by the House of Representatives, in the last two terms I served on this committee, before the 4th of July. I think you can check with the subcommittee chairman, and he will agree with me on that.

Mr. ALTMIRE. The last time they were implemented on time was 1994.

Mr. GOODE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in talking today about the Homeland Security Appropriations measure, I would like to echo what the gentleman from Texas was referring to. In the 2006 and 2005 calendar

years, we did finish the appropriations measures, all 13 of them, or 10 of them, by July 4. We worked diligently. The House got through with its work on these appropriations bills.

There is probably no more important bill for the security of our homeland than this appropriations measure. There are some positive aspects in it, but the spending in it is mighty high.

It is my understanding that the gentlelady from Tennessee will be offering an amendment that focuses on one area that I feel needs additional expenditures of money, and that is with our secure border, the need for fencing, the need for technology there that will prevent the flood of illegals from coming into this country.

The focus of this legislation as a primary topic should be keeping illegal aliens out of this country. During the past several weeks, I have had more calls on that topic than any other measure. And I know a number of the calls, letters, e-mails and faxes were due to the other body's consideration of something called Comprehensive Immigration Reform, which was certainly a misnomer. It was nothing but amnesty, pure and simple, and the overwhelming majority of communications with my office are in opposition to any type of amnesty. They want a fence erected to keep illegal immigrants out.

You know, when we talk about earmarks, in my view there are some good earmarks and there are some bad earmarks. I'm sure that I have a perspective of my district. I like congressionally directed funding for items that benefit the 5th District of Virginia. And I'm sure if you went around the country, others would take a similar approach.

Some would have a policy of no earmarks at all. And let me say, if I get to define earmarks, it would be fine with me if we cut out earmarks right across the board. But some broad, general spending programs, in my view, could also be designated as earmarks. And if we were to follow the approach of the Representative from Texas and Arizona of eliminating all earmarks totally, there would be, in my view, less Federal spending.

There has been a lot of talk about transparency and the need for that with regard to earmarks. One of the things that would get more media attention, more newspaper focus, more television looking at the individual, congressionally directed spending requests would be if they were talked about, debated and voted on in committee. And then, when they came to the floor, those individuals, whether they are on the Democratic side of the aisle or the Republican side of the aisle, they could stand up and focus on these individual items and say whether they wanted them or whether they wanted to introduce amendments to strike them and remove them from the bill.

Those who advocate transparency, in my view would do well to follow a pol-

icy of putting in earmarks at the committee level, and then having them debated here on the floor.

I hope that as the appropriations process goes forward with other items of legislation beside homeland security, that we can follow that rule so that we would get much greater attention and focus and, in my view, transparency on earmarks.

In closing, I want to reiterate my support for the Blackburn amendment that will increase funding for the fence and for border security, and take it from certain other administrative areas in the Department of Homeland Security.

Mr. ISRAEL. Mr. Chairman, I move to strike the last word, and I would like to yield as much time as he may consume to the distinguished chairman of the subcommittee.

Mr. PRICE of North Carolina. I thank the gentleman for yielding. I will consume about 15 seconds just to respond to the question that was raised about the Republican track record in passing appropriations bills.

The gentleman might want to talk about when the Labor-HHS bill was passed last year. I think what he will find is that not only was it not passed by July 1, it was not passed at all.

Mr. ISRAEL. Reclaiming my time, Mr. Chairman, I understand that there is a legitimate debate on the question of earmarks. I understand it is a fair topic to be debated on the floor of the House. I understand, Mr. Chairman, that the other side would be defensive about this issue in that their abuses of the earmark process, and their bulldozing to passage of these earmarks resulted in so much excoriation by the press, and a lost election and the incarceration of their Members.

□ 1330

But, Mr. Chairman, there is a time and a place for debate on these issues, and this bill is not the time or the place. This is the Homeland Security appropriation, Mr. Chairman. This is the last bill that ought to be politicized.

Mr. Chairman, my congressional district lost over 100 people on September 11. Over 100 people. I went to more funerals than I thought was possible. My district is about 40 miles from where the Twin Towers used to stand. When my constituents go to New York City these days, they can't see the Twin Towers because we had no homeland security in 2001. When they go to New York City, it is without the people that they loved and knew. All they have left are the memories.

Mr. Chairman, what I believe is happening today is that the Members from the other side are dishonoring those memories and, in fact, compromising our homeland security by using this critical bill to keep us safe and sound and strong to score political points on and to delay on.

That is simply not acceptable. They are putting politics, Mr. Chairman,

ahead of our homeland security. They are putting politics, Mr. Chairman, ahead of our national security. They are putting politics, Mr. Chairman, ahead of the memory of those who lost their lives on 9/11.

Now, I was in Pakistan just some time ago with the Appropriations Committee. I stood on the border between Pakistan and Afghanistan and learned that the Taliban is getting stronger, al Qaeda is resurging, Ansar al Islam is getting stronger and Jamah Islamayah is getting better. What is the other side doing over the past 48 hours? Spending 8 hours debating cuts to the General Counsel's Office in the Department of Homeland Security.

Al Qaeda and the Taliban are planning, plotting, and strategizing our demise; and the other side, Mr. Chairman, is spending 8 hours debating a cut in the costs of the General Counsel's Office in the Department of Homeland Security.

Mr. Chairman, forgive me if I sound frustrated. But I don't know how I can go back to my district in New York and explain to my constituents who attended funerals that instead of figuring out how to strengthen our borders, we spent 8 hours debating the General Counsel's Office in the Department of Homeland Security; that while our enemies are planning to destroy us, the other side offered eight separate motions to rise yesterday; that while our enemies are figuring out how to plan our demise, the other side is figuring out how to delay the response. How can I possibly explain that to the families that I represent?

I don't begrudge the other side their right to debate earmarks. But not on this bill. This is the wrong bill. It is at the wrong time.

Mr. Chairman, I want to return all of us to that very dark day. Many of the gentlemen and the gentlewomen who are spending all of this time consumed in a debate over earmarks in a bill that has no earmarks, who are consumed on procedural motions, held hands on 9/11 that night on the steps of this building and pledged never again. We would never let this happen again. We will do what must be done. We will bear any burden and pay any price in the defense of liberty and freedom.

What has happened in the years since then? We are not willing to pay the price. We are not willing to bear the burden. The only burden is that we are going to be here through the weekend debating more motions to rise, more amendments that are nothing but, in my view, political cheap shots.

Mr. Chairman, this is not the time and the place. We need to pass this bill to strengthen America, not compromise America's security.

Mr. BARTON of Texas. I move to strike the last word.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Chairman, I want to bring a little bit of

openness to this debate and this process. Those of us on the minority side are not concerned about the overall scope of the Homeland Security bill.

Chairman PRICE and Ranking Member ROGERS, I think, have done an outstanding job on the substance of the bill. But we are very concerned about the lack of openness and transparency on what are called "earmarks," because the majority party campaigned specifically for openness and transparency on this particular issue, and this is the first appropriation bill, and there is no openness and transparency on earmarks.

So I am going to start a precedent at least for the Sixth Congressional District, which is the district that I represent. I am going to put my earmarks in the RECORD on this bill. I have two of them.

The first one is for the City of Arlington, Texas. It is a request for \$10 million to replace all of the radio equipment and communication equipment for the City of Arlington Police Department so they meet the new Project 25 interoperability requirement. So that is my first earmark. The second earmark is also for the City of Arlington, Texas. It is a \$2 million request for the Narcotics Task Force.

Now, my very first congressional earmark, way back in 1985, or maybe 1986, was to set up the first anti-drug Narcotics Task Force in Tarrant County.

I went to Jamie Whiten, who was the powerful chairman of the Appropriations Committee. I went to that corner office right off the floor and on trembling knees asked Mr. Whiten for \$1 million to have the first anti-drug task force in Tarrant County, Texas, with the main city being Fort Worth in Arlington, Texas, and, lo and behold, I got it. So this request for \$2 million is in a sense a continuation, an expansion. That task force has obviously expanded since the mid-1980s, but this is a \$2 million request for the Narcotics Task Force.

I have also signed a delegation letter. I won't list every Member who signed it, but in Congressman EDWARDS' district down in College Station, Texas, Texas A&M is the home of a National Emergency Response and Rescue Training Center. I have asked, along with a number of other Members, for an additional \$13 million for that national center.

Those are all my earmark requests. Under the new rules, I have to sign a letter, like every other Member, to Mr. PRICE and to Mr. ROGERS stating what my earmark request is, and then I certify that neither myself nor my spouse has any financial interest in this project.

So I want to put these earmark requests in the record so that at least one Member of Congress is being open and transparent in the process.

I want to say something about the process. There is absolutely nothing wrong with trying to make earmark requests open. But it is disingenuous, to

say the least, to campaign on openness and transparency and then not deliver. I happen to think Chairman OBEY is doing an outstanding job. It is a tough job being chairman of the Appropriations Committee. Just ask former Chairman LEWIS. But to have one Member of Congress responsible for vetting every earmark request, and apparently this year the number is 32,000, which is an average of about 80 per Member, which is an average of about 7 per appropriations bill, that is an impossible task.

Let's come up with some system to put the earmarks in the bills as they come to the floor. Let there be a debate. Some would fall out, some would shift around, but the American people would know what the process is all about.

Mr. Chairman, I include my earmark requests for the RECORD.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 15, 2007.

Hon. DAVID PRICE,
Chairman, Subcommittee on Homeland Security,
House Committee on Appropriations, Wash-
ington, DC.

Hon. HAROLD ROGERS,
Ranking Member, Subcommittee on Homeland
Security, House Appropriations Committee,
Washington, DC.

DEAR CHAIRMAN PRICE AND RANKING MEM-
BER ROGERS: I am requesting funding for the
Interoperable Law Enforcement Communica-
tions System in fiscal year 2008. The entity
to receive funding for this project is the City
of Arlington, located at 101 W. Abram Street,
P.O. Box 90231, MS 01-0310, Arlington, TX
76004.

The funding would be used for replacing
the Arlington Police Department's local
radio system with new equipment which will
allow Arlington Police officers to commu-
nicate with other agencies.

I certify that neither I nor my spouse has
any financial interest in this project.

Sincerely,

JOE BARTON,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 15, 2007.

Hon. DAVID PRICE,
Chairman, Subcommittee on Homeland Security,
House Committee on Appropriations, Wash-
ington, DC.

Hon. HAROLD ROGERS,
Ranking Member, Subcommittee on Homeland
Security, House Appropriations Committee,
Washington, DC.

DEAR CHAIRMAN PRICE AND RANKING MEM-
BER ROGERS: I am requesting funding for the
Narcotics Task Force in fiscal year 2008. The
entity to receive funding for this project is
the City of Arlington, located at 101 W.
Abram Street, P.O. Box 90231, MS 01-0310, Ar-
lington, TX 76004.

The funding would be used to allow the Ar-
lington Police Department to coordinate
with HIDTA, the DEA, and regional task
forces to conduct focused interdiction initia-
tives combating drug trafficking in Arling-
ton and the surrounding area.

I certify that neither I nor my spouse has
any financial interest in this project.

Sincerely,

JOE BARTON,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 16, 2007.

Hon. DAVID PRICE,
Chairman, Subcommittee on Homeland Security,
House Committee on Appropriations, Wash-
ington, DC.

Hon. HAROLD ROGERS,
Ranking Member, Subcommittee on Homeland
Security, House Committee on Appropria-
tions, Washington, DC.

DEAR CHAIRMAN PRICE AND RANKING MEM-
BER ROGERS: The purpose of this letter is to
request funding for the following projects in
the FY'08 Homeland Security Appropriations
bill under the consideration of your Sub-
committee. I have listed the projects in
order of greatest priority.

First priority: City of Arlington, Texas:
Interoperable Law Enforcement Communica-
tions System \$10.0M

Any federal funding received will be used
for an Interoperable Law Enforcement Com-
munications System. The proposed project
would provide the basis for a regional com-
munications system through the acquisition
of state-of-the-art technology that adheres
to recently drafted federal specifications for
interoperability, Project 25. The Project 25
standard allows agencies to purchase com-
munications equipment from any manufac-
turer and be assured that it is designed to
achieve interoperability with other Project
25 compliant systems. It is expected that
this amount of funding will be required to
completely replace Arlington's communica-
tions system with technology that can serve
as the backbone for a regional Project 25
compliant system.

Police and other public safety employees
rely on an array of wireless voice commu-
nications (mobile radios, portable radios,
base-stations, cell phones and pagers) to con-
duct day-to-day activities as well as respond
to major emergencies, catastrophic events
and disasters, both natural and man-made.
Traditionally, most law enforcement agen-
cies and jurisdictions have chosen to finance,
install and maintain their own communica-
tions systems. As a result, the systems are
purchased from different suppliers/manufac-
turers, operate on different radio frequencies
and utilize a broad range of underlying tech-
nologies and architectures. The result has
been inoperability (or inability to commu-
nicate) between jurisdictions.

Problems caused by lack of interoper-
ability are particularly acute during large
scale events that necessitate the involve-
ment of personnel from multiple agencies
and jurisdictions. This is commonly referred
to as "mutual aid" in the public safety pro-
fession. Mutual aid events can come about
due to unplanned events such as large-scale
accidents, natural disaster, civil insurrec-
tion/riot, or major crime event or terrorist
attack. Mutual aid situations can also be the
result of major sporting events, political
conventions or large scale celebrations. Re-
gardless of its source, interoperability is
critical to an effective response to large
scale events and mutual aid situations.

Second priority: City of Arlington, Texas:
Narcotics Task Force \$2.0M

Any federal funding received will be used
to fund a comprehensive, cooperative inter-
diction program in Arlington, Texas. Funds
would be utilized for personal protection
equipment for officers who find clandestine
labs, surveillance equipment, drug dogs, spe-
cialized K-9 vehicles and related equipment,
personnel, training, and other related serv-
ices.

Narcotic trafficking is a multi-jurisdic-
tional problem requiring a task force ap-
proach to ensure coordination among numer-
ous law enforcement agencies. The Tarrant

County Narcotics Intelligence Coordination Unit (TCNICU) was formed in 1988 to work these complex narcotics cases. Due to a new requirement that federally-funded narcotics task forces be multi-county as well as multi-agency, the TCNICU expanded to include Ellis County during 2003. Its name was changed to Metro Narcotics Intelligence Coordination Unit (MNICU), and the Department of Public Safety (DPS) now has operational control/oversight of the task force.

This task force is supported through Byrne Funds, funneled through the Governor's Office (Criminal Justice Division). These funds were depleted in March 2006 and no other funding sources have been identified. The City's current agreements with HIDTA and DEA cover only overtime expenses.

Major drug trafficking routes run from Mexico through the Metroplex to other states. The HIDTA Interdiction programs instituted along Interstate 35 have been very successful. Interstate 20, Interstate 30 and State Highway 360 are major thoroughfares in the heart of the Sixth District for drug traffickers transporting their wares to Dallas and Fort Worth and beyond. Additional funding is requested to create a comprehensive program.

Thank you for your kind consideration of these projects. If you have any questions or concerns, please feel free to contact me or my Legislative Assistant, Aarti Shah

Sincerely,

JOE BARTON,
Member of Congress.

MARCH 16, 2007.

Hon. DAVID PRICE,
Chairman, Subcommittee on Homeland Security,
Committee on Appropriations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: We are writing to express our strong support for a \$13 million increase over last year's funding in the FY 2008 Homeland Security Appropriation Bill for the National Emergency Response and Rescue Training Center (NERRTC), a lead member of the National Domestic Preparedness Consortium (NDPC). NERRTC, established in 1998, is a member of The Texas A&M University System, and is located in College Station, Texas.

The other non-federal members of the NDPC include the Counter Terrorism Operations Support (CTOS) at the Nevada Test Site (NTS); Energetic Materials Research and Training Center (EMRTC) at the New Mexico Institute of Mining and Technology; and National Center for Biomedical Research and Training (NCBRT) at Louisiana State University (LSU). The Consortium coordinates and integrates their training efforts to ensure the optimal use of federal funds appropriated for the purpose of providing a focused, threat responsive, long-term national capability for our emergency responders.

The FY 2007 Appropriations Bill provided \$22 million for NERRTC, as part of the \$88 million allocation for the four non-federal members of the NDPC. Unfortunately, the President's FY 2008 budget proposes a significant decrease in funding levels for the Consortium, reducing the total allocation for the NDPC to \$38 million, to be awarded on a competitive basis. The states would be required to incur training costs to purchase required training that has historically been fully-funded by the Office of Grants and Training (G&T) through the Consortium. The states have received no impetus to purchase the specialized training, which only the Consortium provides.

Under this new training direction for the G&T, responsibility for all three levels of WMD/terrorism training (awareness, performance, and planning/management) will shift from DHS to local jurisdictions. This

shift would result in the loss of uniform training standards and the certified training programs that have been developed. Additionally, given the proposed changes in FY 2008 funding for the State Formula Grant Program, the new training strategy could impact the states' ability to meet needed training requirements.

We strongly believe that the current training strategy, which has been successfully implemented by G&T through the Consortium for the past nine years, continues to be an effective tool for our nation. To date, NERRTC has trained in every State and U.S. Territory, reaching more than 7,400 jurisdictions and over 204,000 participants. The entire Consortium has trained over 700,000 emergency responders through a nationally validated curriculum. This model has reached all disciplines necessary for national preparedness, including fire, law enforcement, EMS, hazardous materials, public works, public health, emergency managers and senior officials. The model is effective and provides for consistency in standards and curriculum.

The national demand for NERRTC specialized training programs, as well as the specialized training programs provided by the other members of the Consortium, continues to grow at a rapid pace. For FY 2008, \$35 million is requested to increase current support to G&T and program delivery, to meet the documented national needs and requests from states, to expand training deliveries to our local and state emergency responders.

We appreciate your consideration of this critical national project and its significant contributions to enhancing our homeland security.

Sincerely,

Mr. Chairman, I would be happy to yield to Mr. McHENRY any time that I have remaining.

Mr. McHENRY. Mr. Chairman, I thank my colleague from Texas.

Mr. Chairman, the important part here is that we say very clearly to the American people that we should know where the dollars and cents that our Federal taxpayers are funding for their government is going. That includes the important programs of this government. But it very much is important to the American people to give scrutiny to these pork-barrel projects and earmarks contained within these billion-dollar bills. The bill before us today is \$36 billion in spending. I think it is worthy and worthwhile that we spend a little time giving this legislation scrutiny.

Mr. KLINE of Minnesota. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this has been a fascinating debate. I have heard, unfortunately, some language that I certainly find offensive, that we are dishonoring, for example, those who have died in this country. I certainly don't believe that is the case. I don't understand how our insistence on making sure that we are appropriating the taxpayers' dollars responsibly dishonors anyone.

Repeatedly I have heard that in this bill there are no earmarks. Again, I would reiterate, that is the point. We simply don't know if that is the case. The gentleman from Texas just stood down here and said he has requests for two earmarks in this bill. I don't know how many earmarks will end up at the

end of the process, and, frankly, none of us do, because there is no transparency and we do not have visibility into this very, very flawed system for Members' projects for earmarks.

Mr. Chairman, I know that my dear friend and colleague from North Carolina would like the opportunity to talk about his amendment and this process once again, so I would be happy to yield the remainder of my time to the gentleman from North Carolina (Mr. McHENRY).

Mr. McHENRY. Mr. Chairman, I thank my colleague from Minnesota.

Mr. Chairman, I think we need to have a serious discussion here on the floor today, as we did yesterday. There have been some accusations about what we did when we were in the majority. But, look, let's face it, there is a new majority. There is a new regime in town. They called for a new direction. I guess there is a new direction. Congress' approval ratings are the lowest they have been in decades.

Nothing has been achieved in this Congress. In fact, the Democrats' agenda, the Six for 06, the vaunted Six for 06 agenda, has been Zero in 06. Zero of these bills have been enacted into law.

So it is wonderful for the Democrats to point at the Republicans. But, let's face it, the Democrats are in the majority, and it is their obligation to govern, and they have not yet done it.

They spent 133 days in power, the new Democrat majority, and what have they done? Well, they had a lot of debate about whether or not to defund the troops who are in harm's way. They played politics with the troops. But yet they didn't take any time at all to review the earmarks in this bill. They have had 133 days. The chairman of the Appropriations Committee has had 133 days to review these earmarks, but yet he will not open it up to public scrutiny.

All we are asking for these earmarks and for this Democrat excessive spending is for it to see the light of day so the American people can see what their money is going towards. So while they play politics with funding the troops, they do nothing when it comes to pork-barrel spending. They do nothing when it comes to earmarks. They do nothing to control spending. They do nothing to enact their vaunted Six for 06 agenda.

Mr. Chairman, I think the American people need to understand what this new Democrat majority, this new direction, is all about. It is about politics. It is about politics. And what we are talking about here today, what Republicans and conservatives are saying is that we need to have those earmarks laid out for public scrutiny so the press and Members of this body can actually see what the chairman wants to insert at the 11th hour in this legislation. We want to see what is in that slush fund within this bill. We want to see where our tax dollars are going. But we also want to spend. Beyond that, we want to make sure this money is appropriated wisely.

What the ranking member on this subcommittee has said is there is too much spending. We have got too many bureaucrats being thrown into the Department of Homeland Security. This money is not being spent wisely. It is not being spent in the right ways. We are not funding defense like we should. We are not funding border security like we should. We are not funding intelligence capabilities like we should. Yet there is a large increase in spending in this appropriations bill. Where is it going? Where is it going?

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And where is that money, that slush fund, going? I think the American people, not just my colleagues in the House, not just the committee chairmen, not just a committee, but all the American people deserve to see where their money is going. That's the right thing.

That's what we're debating about here today and what we were debating about last night. And while the Democrats forced us to go into 2:00 a.m. voting on this House floor, in the middle of the night, voting on important matters of public policy, the Speaker sleeps. While we were forced to stay here until 2:00 a.m., voting on procedural motions to hold the Democrats accountable, the Speaker slept.

Mr. RYAN of Ohio. Mr. Chairman, I move to strike the last word.

I appreciate my good friend from North Carolina. We've been out here a bunch together. First, he says, well, this is politics. This is not politics. This is governing, something you on the other side know very, very little about.

Mr. MCHENRY. Mr. Chairman, the gentleman should address his remarks to the Chair.

The Acting CHAIRMAN. The gentleman is correct.

The Chair would ask the gentleman from Ohio to address his remarks to the Chair.

Mr. RYAN of Ohio. Mr. Chairman, my friends on the other side were saying that this is about politics, and I would like to say that this is not about politics. This is about governing, Mr. Chairman, something the Republicans in Congress know very, very little about.

Now, we have heard lectures today about spending too much money. \$4 trillion under the Republican watch, Mr. Chairman, borrowed from China, Japan and OPEC countries with a Republican House, a Republican Senate, a Republican President. Mr. Chairman, I hope the Republicans will spare us the lectures on fiscal responsibility.

And then, Mr. Chairman, they start saying that, well, you're spending it, but you're not spending it right. You can spare us the lectures on spending. Need we bring up Katrina, need we bring up Iraq, Mr. Chairman? We don't really need lectures from the most blatantly irresponsible spending Congress in the history of this illustrious body.

Now, the Homeland Security Department was created by the Republican Party, Mr. Chairman. They ran on it. They ran campaigns against Max Cleland on it. They created it. And so now they're saying that if we actually fund it to protect the country, that somehow we're doing something wrong. That's what you do with programs that work; you fund them.

And now more to the point of what I think the real substance of this argument is really all about: The National Intelligence Estimate said that the war in Iraq has created more terrorists around the globe. That means, Mr. Chairman, that there are more terrorists out there now than there were before, and they're all coming to get us here in the United States. President Bush even says all the time, You know, if we don't fight 'em over there, they're going to come over here and get us.

So what we're trying to do in this bill is to protect the homeland. We're trying to protect against all those terrorists that have been created in the last 5 years, that have joined al Qaeda and all of these other groups that now want to come over here. We're trying to actually protect the homeland.

So we want to secure the ports. We want to make sure we have the first responders. You're impeding progress with the shenanigans that have been going on here the last 24 hours.

Mr. MCHENRY. Will the gentleman yield?

Mr. RYAN of Ohio. I will not yield.

The problem with this is that God forbid something does happen in this country. Every minute that we waste here is 1 more minute that the terrorists get to attack this country without the proper port security, without the proper border security.

So as you delay and you move to rise and you move to adjourn—

The Acting CHAIRMAN. The gentleman will address his remarks to the Chair.

Mr. RYAN of Ohio. Mr. Chairman, as the Republicans move to rise, as they move to adjourn, as they try to filibuster, that is just buying time for these programs not to get implemented. And God forbid the American people, after another attack, come to us and say, what were you doing? Why didn't you have the technology on the ports? The Republicans are going to have to go back home to their district and say, we were filibustering this bill.

Mr. PRICE of Georgia. Will the gentleman yield?

Mr. RYAN of Ohio. I will not yield. You guys have had the floor for 24 hours. You could let us say a few words.

The bottom line is this: The new Democratic Congress has fulfilled the promises that we have made, Mr. Chairman. Passed the minimum wage, cut student loan interest rates in half, security issues. When you look at the budgets that we have passed, the largest increase in veterans spending in the history of the VA to take care of those

soldiers who are out there, a \$500 to \$600 increase in the Pell Grant, fully funding Head Start, SCHIP, Even Start, after-school programs, investment in alternative energy sources.

If I was you, I wouldn't want our bills to pass either, because when these pass and we take it to the American people, Mr. Chairman, our friends on the other side are going to wish they would have had the level of competence that the Democrats have.

Mr. BURGESS. Mr. Chairman, I move to strike the requisite number of words.

I come to the floor because of the inspiration of the ranking member of my committee, the Committee on Energy and Commerce, who came and disclosed for the body the earmarks that he had in the bill. I would like to take this opportunity to disclose the earmarks that I have in the homeland security bill as reported to me by my staff. The number is zero.

But, still, the argument that goes on here today is important. We just heard a scholarly discussion about the budget that was passed by the new majority. The reality is, a lot of those fully funding issues are in what are called "reserve funds." The gentleman mentioned specifically SCHIP. We have been working on that in my committee for months now. I will tell you, the funds are not there. The reserve funds are sort of like sending a get-well card to a Federal program that is going to expire on September 30 of this year because we have not yet done the work to extend it.

Mr. Chairman, I also feel obligated to point out that certainly there are many times during the last 4 years that I have been here, again as just a simple country doctor who came to Congress, but there have been many times that I have been here that I have felt that our side was spending too much money. However many times I felt that way, I cannot escape the feeling that now we are fixing to spend that and a great deal more, and that does sadden me.

I think, more to the point, the bill that is under discussion today is a bill that is extremely important to this country, and I think it is a shame that a new majority that campaigned on the concept of openness and being transparent about the process now has decided that there is value in opacity and intends to obscure the process as much as they possibly can.

It is one thing to decide that that is the correct way to govern, but don't campaign on that issue. Don't promise what you can't deliver. If you cannot be open about your method of governing, then please don't run on that as an issue in the future.

Mr. Chairman, I would now like to yield as much time as I have remaining to the gentleman from North Carolina.

Mr. MCHENRY. I appreciate my colleague from Texas for yielding.

I want to respond to my colleague and friend from Ohio. He does a wonderful job at oratory. His facts are a

little off, Mr. Chairman, I must say. He forgot in his list of these wonderful things the Democrat Congress has done, because, let's face it, it is a nice long list of things that they have said that they would do. Actually, they haven't implemented many of the things that he claims, Mr. Chairman. The one thing on his list he forgets, though, is the largest tax increase in American history. I don't know why he doesn't brag about that.

But he actually points out something that is very important to realize. The Democrats have done part of what they've said. They campaigned on increasing the size and scope of government, Mr. Chairman, and they've done that. They're working to do that.

Mr. RYAN of Ohio. Will the gentleman yield?

Mr. MCHENRY. In just a second. In just a moment.

Mr. BURGESS. The gentleman from Texas controls the time and, no, he will not yield.

Mr. RYAN of Ohio. Will the gentleman from Texas yield?

Mr. BURGESS. No, I will not.

Mr. MCHENRY. Let me just say this. The largest tax increase in American history, that is really the backdrop of these spending bills.

The gentleman points out an interesting quandary, I must say. He says that Republicans are delaying the implementation of homeland security funding. The Department is funded through October 1. Beyond that, if it were important for us to put our priorities first, we would start, Mr. Chairman, with the Department of Defense, for national defense purposes. Instead, he's pulling a political game on us, Mr. Chairman, to simply say that we are harming national security because we're trying to restrain pork-barrel spending within this appropriation.

He actually points out a very important thing the American people need to understand. If the Democrats wanted to focus on priorities, we would have started with homeland security and national defense on day one. Instead, the new Democrat majority played politics with our troops in harm's way in Iraq and Afghanistan. They played politics with that funding, Mr. Chairman. They played politics for 100 days. And they're continuing to play politics with the funding for our troops in harm's way, Mr. Chairman. And we should oppose that.

And the American people are reacting to that. They don't want to defund our troops in harm's way. They don't want to do that.

I would ask my colleague from Texas, to, if he would, yield for 15 seconds to the gentleman from Ohio for his comment or question, because that is much more generous than he did earlier. And I would love to respond to what he says or claims.

Mr. BURGESS. In fact, I will be happy to yield, but let me just reclaim my time for a moment.

The Acting CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. BURGESS was allowed to proceed for 1 additional minute.)

Mr. BURGESS. I have no earmark in this bill, but had I had an earmark in this bill, I would have had to submit that the middle of March, 3 months ago.

As the gentleman from North Carolina so correctly points out, this is not new information. This information has been percolating somewhere within the committee for the last 3 months' time.

Mr. Chairman, I will be glad to yield the remainder of my time to the gentleman from Ohio.

Mr. RYAN of Ohio. I thank the gentleman for his courtesy. The reason the gentleman from Texas doesn't have an earmark in this bill is because there are no earmarks in this bill.

Mr. BURGESS. Reclaiming my time, the ranking member of my committee came to the floor and said he had two earmarks in the bill. So I submit to you that there are earmarks in the bill, and we should be discussing that; that should be part of the new open and transparent Congress.

Mr. COHEN. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Ohio.

Mr. RYAN of Ohio. Just to clarify. The ranking member submitted earmarks. There are no earmarks in the bill. That's a clear difference.

I ask my friend from North Carolina, what do you want to cut out of this bill? The Border Patrol? The 3,000 Border Patrol agents? Do you want to get rid of the technology that we're going to have on the ports to scan cargo coming in? Is that what you want to cut? Do you want to cut the money that we're giving to our first responders?

Mr. Chairman, exactly what is it that you don't like about this bill? There are no earmarks and we're funding programs that are going to protect the homeland.

Now, we understand clearly, Mr. Chairman, that our friends on the other side have had a difficult time governing the country. That doesn't mean they have to impede us from doing it.

Mr. COHEN. Mr. Chairman, the Homeland Security Appropriations bill addresses not only the threat of terrorist activity, but funding for States and communities to confront the threat and real consequences of natural disasters and emergency situations.

Hurricane Katrina was one disaster. The response of the Federal Government to Katrina was another disaster. While the world watched, our citizens were left to fend for themselves. I live in a city that sits at the epicenter of the New Madrid fault zone. Historically, this area has been the site of some of the largest earthquakes in North America. Scientists believe we could be overdue for a large earthquake and through research and public awareness may be able to prevent terrible losses of life and property.

Also, Memphis is built on the banks of the Mississippi, and as every river

town knows, we must be vigilant to ensure that the river remains our friend. And Tennessee is one of the States most frequently hit with tornadoes and destructive straight-line winds.

I am pleased to support the Homeland Security Appropriations bill because it provides for the needs of our citizens to ensure that their government will be vigilant in protecting them not only from terrorists, imagined and real, but by preparing for emergencies and being there in the aftermath of disasters. We don't need to just say, there's been a "heckuva job" done, but we need to make sure that the job is done.

Mr. Chairman, we were here until 2 o'clock this morning because of dilatory moves on the other side. We need to come together and pass a homeland security bill that protects our cities and our States from natural disasters and protects our country from terrorists, imagined and real. This is a bill we need to pass for America and make America proud of this United States Congress.

Mr. POE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, part of our process in this country as a Republic and one reason we broke away from a monarchy was because of the fact that Americans, by nature, want things in the public view.

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Back in the days of the king, the king made all of the decisions and he made them based on any reason or lack of reason the king wished.

Americans want their government to be public. That's why this House meets in public instead of in a back room someplace, because when you meet in back rooms, things seem to happen that are not in the favor or the benefit of the public or the American people.

And in this whole appropriations process, the American public is watching us and we are being asked to appropriate billions of dollars for different projects, appropriations bills; but yet we don't know where the money is going. Now, most Americans probably would find that difficult to understand. I find that difficult to understand. Why you would ever appropriate taxpayer money, set it out here in some fund, you can call it a slush fund or a sludge fund it makes no difference. We don't know where the money is going. We are being told trust us, we are the government; we will decide later how to spend your money. Trust us.

And how is that decision going to be made? It is going to be made really by one person and his staff, a good person no doubt, but will that decision be made upon partisan politics, how these false, fake, secret earmarks are going to be determined? Will it be based upon longevity in the House? Will it be based upon where a person happens to live in the United States? Will it be based upon other factors that are subjective as opposed to objective? Who knows.

We don't know because we don't know, first of all, where the money is going and how those decisions will be made.

But we are all asked in this House, including those on the other side, to write a letter and ask for one earmark, and then that letter will be reviewed by the staff. And the staff will meet with the one Member of Congress and the decision will be made whether to grant or not grant that earmark.

It seems to me that one person should not have that ability, that authority, that power. It goes back to the phrase from Orwell's "Animal Farm" that all animals are equal, but some animals are more equal than others. And this is probably one of those examples.

So why not be open about it? Why not be democratic about it and air those public earmarks in the public sector. Let's argue and debate them on the House floor. Let's vote them up, let's vote them down, but let the American people see exactly what those earmarks are and then they can see where we stand and see how we vote as 435 as opposed to one person.

So deals made in back rooms are not good deals for the American public. All we are asking in this legislative body is that we take the taxpayers' money and we tell them up front where that money is going to be spent before we take it away from the taxpayers and say trust us, we are from the Federal Government, we are here to help you.

Mr. Chairman, I yield to Judge Carter.

Mr. CARTER. Mr. Chairman, I thank the gentleman for yielding.

This has been a stimulating debate, and I want to thank my colleagues on the other side of the aisle for joining in this debate. Yesterday evening we were accused of delaying and taking up all of the time, and I think we have equally shared the time this morning, and I am very proud to have the help of the Democrats on the other side of the aisle in continuing this debate because I think it is important that we hear from all sides. In fact, that is what this is all about.

We keep talking about us, but I think that the Democratic Representatives on the other side of the aisle individually have the same right to see and debate these earmarks as the people on the Republican side of the aisle. I am not arguing this point only for Republicans. I believe that the individual Members who are elected by the people in their district to make sure they are on top of spending have the same right.

Mr. GENE GREEN of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is amazing because a lot of us sat here last night until 2 in the morning and watched the Republican minority file motion after motion for us to rise so we wouldn't take up a Homeland Security bill that has no earmarks.

What they did was slow us down on trying to have a bill passed by October

1, which they have had trouble when they were 12 years in the majority. That is why we had to live under continuing resolutions, and continue to live under one because of their governance last year.

The Homeland Security bill has 300 new Border Patrol agents. It would be nice on October 1 if this bill was signed into law so we would have those Border Patrol agents on the border, in our airports and in our ports.

They are delaying the planning for the first responders, whether in the city of Houston where I come from, or the State of Texas where my three colleagues who spoke earlier on how bad earmarks were, or the bill provides protection from explosive systems for our airports, including Dallas-Fort Worth and Houston.

This is delaying \$400 million for port security, including the Port of Houston, the number one foreign-tonnage port. We are doing some great things in the Port of Houston. It is because we put the community together, the business community and all government agencies, Republican and Democrats. I wish we could see that in Washington. But we didn't see that last night. We saw delay after delay in not taking up this bill. So we are putting it off so they can make a point of how bad earmarks are.

But the House Republicans don't want to talk about those issues. They want to talk about how they want to bring the light of day into earmarks. Well, for 12 years they didn't want the light of day in earmarks. They were the king. They were the emperor of earmarks. I have watched for many years what happened over those 12 years with the earmarks and the ones that were shut out in the minority.

I think what they are concerned about is that we may do to them what they did to the Democrats for 12 years, but that is not our intent. All we want is to be able to see them, the public.

I have requested earmarks, and I am proud to say I have received them for our district. I don't mind publicizing them. In fact, I will do it in any manner required, instead of airdropping them in like they previously did in the appropriations bills.

I think that conversion we saw, maybe it started with the November election, but we are seeing it now, that conversion is almost as amazing as Saul's conversion on the road to Damascus, from Saul being a persecutor of Christians to becoming Paul, the Lord works in mysterious ways; but I don't think it is so mysterious. I think what we are seeing is after 12 years of being dictators in this House, now they are afraid the same rules are going to be used against them.

For 3 years, I have requested \$250,000 in an earmark for a prenatal machine to treat mothers, poor mothers, to be able to get a new piece of equipment so we can do prenatal planning. \$250,000. Health and Human Services has stripped out Democratic earmarks for

a number of years. I don't intend to do that. I am not an appropriator, but I hope our Appropriations Committee doesn't do that. I am not ashamed to say that I asked for that earmark again this year for that prenatal machine.

Or for \$250,000 for a diabetes program in Harris County to help what our local community is doing. I have asked for \$250,000 for immunizations. The reason we have earmarks is that I don't want to appropriate all that money and send to Health and Human Services, and say, by the way, I sure would like you to help diabetes and immunizations in Harris County in Houston, Texas. Or maybe help pay for part of a machine for prenatal care.

Mr. Chairman, do I still control the time on the floor of the House?

The Acting CHAIRMAN. The gentleman from Texas has the time.

Mr. GENE GREEN of Texas. It is my understanding that Members cannot rise while other Members have the floor of the House.

The Acting CHAIRMAN. A Member may seek to be yielded to. The gentleman from Texas may continue.

Mr. GENE GREEN of Texas. Mr. Chairman, we all have to obey the rules, whether Republican or Democrat; and that is what we are trying to say. We want to pass the appropriations bills before October 1. In the majority for 12 years, they couldn't do it. They put in earmarks all over the appropriations process, and yet stripped out Democrats. I don't want us to do that, but I do want us to have some legislative ability to say we have projects in our district that are important. If I am willing to say, yes, I want them and I will publicize them, then why shouldn't we be able to have an elected official make that decision instead of the bureaucracy that may still be under the President. But the now Republican minority put earmarks in even when they were in the majority, so that is what this debate is about.

They don't want us to pass these bills but we need to do it for the American people, particularly Homeland Security.

Mr. DOOLITTLE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I listened to the remarks of the gentleman, and I think he had some good points to make, but I do just want to point out that under the Republicans, the Democrat minority was allowed to determine which of their projects got funded. If Democrat projects were stripped out, it wasn't done by the Republicans; it was done by the Democrats on the leadership in the Appropriations Committee. I think this is important to understand. We didn't interfere with what Democrat priorities were, as I understand it. You got a certain percentage and were able to determine your own priorities.

I would say to the gentleman who just spoke, I think he may be blaming us for something that we didn't do.

Now, I am not here to lead a crusade against earmarks. The Constitution

clearly specifies that the legislative branch is in control of spending for the government. We are entitled to set our priorities, and we would not be doing our jobs as Representatives if we did not indeed set those priorities.

I do want to note with some of the things that have been said, in the final year of Republican control of the United States Congress, we cut non-defense discretionary spending for the first time in 19 years. The hardest thing we ever have done in Congress, you or we have done, is to cut spending. It is very, very difficult.

Having said that, last year we actually accomplished it, and nobody knew it so I am going to say it here again today: the first time in 19 years, through the leadership of JERRY LEWIS and the Appropriations Committee, we cut nondefense discretionary spending, the first time in 19 years.

We did not cut mandatory spending, but we worked hard to slow the growth curve, and we did that. Mandatory spending, by the way, is where two-thirds of all spending actually occurs. And for the first time in 9 years, we slowed the growth of mandatory spending. Those are two huge accomplishments. I hope that the Democrat majority in the time they have will be able to show a similar accomplishment. I am not encouraged so far by what I see. I think with all of their rhetoric about openness and transparency and curbing earmarks, it bodes very ill, despite that rhetoric, in trying to tar and feather the Republicans with these slanderous statements that they have, indeed, overturned their own process and they are going to airdrop in the earmarks in the conference committee.

Yes, it has been asserted there are no earmarks in this Homeland Security bill. That is right, but there will be, and they will be in this bill in the conference report where all we can do is vote "yes" or "no," no chance to amend or affect the process. That goes completely against what the majority party asserted would be their policy. And we have to keep calling attention to this to have the world understand what is going on here. This is fundamental to the consideration of all the other appropriations bills. We have to get this process established.

They ran their campaigns last November on the idea that the earmarks are going to be open and accountable, and the first thing they did was to go way back in time and do something where they are completely shielded from public view until the last minute when they get dropped in. That is wrong. We will not accept that, and we will not go easily into that good night until and unless you reform that policy. It is completely unacceptable to campaign about openness and transparency for earmarks, and then to go in exactly the opposite direction, have no openness and no transparency and no accountability.

□ 1415

That is very, very wrong, and I hope that people will clearly see that.

Mr. Chairman, I yield any remaining time that I have to Mr. McHENRY, if he would care to offer any additional insights.

Mr. McHENRY. Mr. Chairman, I thank my colleague from California, to reiterate my earlier point, which is, we need to lay clear these earmarks. We need to know what they are in the legislation so that the American people can judge for themselves the worthiness of the programs and the money allocated for them.

Now, we just want a clear, open, transparent process which is what the new majority, what the new Speaker campaigned upon.

Now, we had this long debate last night after 10 o'clock. We went on for hours and hours and hours about this process until after 2 in the morning. Now, I understand the Speaker went home to sleep and the rest of us sat here and debated, but that's a whole other issue. If the Speaker had been here, Mr. Chairman, they would know that this is an important debate for the American people to hear.

Ms. GIFFORDS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think it's important to really focus on the substance of this bill, and I rise today in strong support of this Homeland Security bill.

I represent southern Arizona. My district, the 8th Congressional District, shares 120 miles with the country of Mexico. We are facing a security and immigration crisis in my district and across the Nation. The flood of illegal immigrants and drug trafficking continues to place an undue burden on not just our health care system but our schools, our first responders and on our local law enforcement.

Currently, the Tucson sector is the most porous section along the U.S.-Mexico border. On average, every day the Border Patrol apprehends about 2,000 illegal immigrants and approximately 2,500 pounds of drugs. While most illegal immigrants are coming here for economic opportunities and don't want to do harm to anyone, probably about 10 percent are involved in criminal activities.

Nationally, the Border Patrol arrests 1 million illegal immigrants annually and seizes over 1 million pounds of marijuana and 15 to 20 tons of cocaine.

Smugglers' methods, routes and modes of transportation are potential vulnerabilities that can be exploited by terrorists attempting to do the American people harm.

Border security must be strengthened, and all of the options for accomplishing this must be on the table. Success requires a multifaceted approach. We need to build fences, we need to deploy sensors, we need to utilize the latest technologies, such as UAVs, and take advantage of advanced technology in terms of detection.

I'm pleased that this legislation makes border security a priority and

provides the funding that we badly need along the U.S.-Mexico border. The improved border security that this bill will fund is a crucial component in passing comprehensive immigration reform that is tough, practical and effective. I hope to work with my colleagues on both sides of the aisle to pass legislation later that includes components of border security, along with comprehensive immigration reform.

Now, the bill that we are discussing today provides \$8.8 billion for the Customs and Border Protection agency, which is \$50 million above the President's request, and \$647 million, nearly 8 percent, above fiscal year 2007. It provides funding for 3,000 additional Border Patrol agents, and this will bring the total number of Border Patrol agents up to 17,819 by the end of fiscal year 2008.

This bill also funds the SBI, the Secure Border Initiative. This is going to be rolling out in Sasabe in southern Arizona, and it funds this initiative at the President's requested level of \$1 billion. It requires the Department of Homeland Security to justify how it plans to use these funds to achieve operational control of our borders.

So I urge my colleagues to pass and I urge the President to sign this very important legislation. Our border communities urgently need this funding to stem violence and lawlessness and prevent terrorism that could possibly impact the United States along the southern border.

I urge the Members on both sides of the aisle to move forward on this legislation.

Mr. CAMPBELL of California. Mr. Chairman, I move to strike the last word.

This debate that began yesterday and continues today is really about two things. One thing we've heard a lot about here recently in the last few speeches that people have given is whether or not the majority party wants to have earmark spending that is secret and that is not subject to individual vote. We believe that such spending ought not to be secret and ought to be subject to an individual vote. That's one thing.

But there is another thing, and that is that this bill simply spends too much. This bill has an increase in it, and I know the gentleman from North Carolina and I had a discussion on this yesterday. Let's just talk about the nonemergency spending.

This bill increases spending from year to year by 13.6 percent. Again, that is a lot. It is a lot more than inflation, which has been running under 3 percent. It is a lot more than most people see as an increase in their salaries. Why, in fact, if someone out there listening, Mr. Chairman, makes \$15 an hour, if they were to get a similar increase this year, they would make over \$17 an hour next year. I mean, most people out there making \$15 an hour would love an increase to \$17 an hour, but they're probably not going to get a

\$2 increase, but yet this bill proposes to expand the spending by 13.6 percent.

Now, people on the other side of the aisle, Democrats that continually criticize our amendments and the things we're talking about by saying that we are cutting spending, the two amendments before us right now and the previous amendments we voted on last night and most of the amendments, if not all, that we're going to see later, are not cutting anything. They are slowing the growth. If you get \$1 a month and somebody gives you \$2 a month, that's an increase; it's not a cut. But they keep saying cut on the other side of the aisle so much that I believe perhaps a little visual assistance is required.

So, Mr. Chairman, I just want to make this very, very clear. One equals one. If you are getting \$1 and you still get \$1, that is not a cut. That's the same amount of money that you had before. Two is actually more than one. So that if you were getting \$1 and now you get \$2, that also is not a cut, even if you wanted \$3. Because what Members on the Democratic side of the aisle continue to say is, oh, we're getting one, we want three, you're only going to give us two and so, therefore, it's a cut. No, it is not. One equals one, two is more than one, regardless of what you want.

Mr. ROGERS will propose an amendment later that has already been described by the other side as a massive cut, except it will leave a 7 percent increase, I believe, roughly, in spending in this bill. A 7 percent increase from year to year is not a cut.

The amendment that is before us right now, Mr. McHENRY's amendment, proposes to spend less money than the bill before us on the Secretary's bureaucratic operation, but it actually allows the Secretary's bureaucrats to spend more than they spent last year. That, again, is not a cut.

So, Mr. Chairman, let us make it clear here that Republicans are not proposing to cut this bill. We are not proposing to cut spending in the Department of Homeland Security. We are proposing to increase it at a rate which is sustainable because if you continue to increase things at 13.6 percent a year, then that requires that everyone out there who's making that \$15 an hour get a raise to \$17 and give it all to the government in order to keep paying for this sort of increase. American taxpayers cannot afford that kind of increase after increase after increase.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I agree we should be debating substantively whether or not we have reached perfection in the amount of resources we have put to homeland security, and if Members on the other side think that no additional funding for homeland security is necessary, no additional border guards, no additional funding for immigration, that's their right.

If they have so little confidence in Secretary Chertoff and the other appointees of the Bush administration to decide what they need to administer their responsibilities, that's their right. In the Senate, they call it "a vote of no confidence" formally. Here the vote of no confidence in Secretary Chertoff will be the constantly repeated phrase, "those bureaucrats," and apparently Members do not have any confidence in the appointees of the Bush administration. That's their right.

What they don't have a right to do, it seems to me, is to totally forget history. Now, we are told, and I guess I should express my admiration for so many Republicans who are fighting for the rights of others. In our society, people fight for their own rights, but we genuinely honor people who fight for the rights of others, people who are not themselves victims, but fight to protect others who have been victimized.

Well, a number of the Republicans are in that category. They are fighting very hard for the right to vote against earmarks. What's interesting is that many of the Republicans who over these past couple of days have been fighting for the right to vote against earmarks always vote for earmarks, and I don't just mean in overall bills.

The gentleman from Arizona (Mr. FLAKE) took the floor and acknowledged that he had offered 39 amendments in the last Congress to cut out earmarks and he lost 39 times. The overwhelming majority of Republicans voted 39 times against the gentleman from Arizona. So we have Republicans yesterday, and I will have the RECORD and we'll have the rollcall, we will have people who said you must give me the right to vote against these earmarks who then never voted against a single earmark. And that is admirable.

It is admirable when you, yourself, have no intention of voting against earmarks when, in fact, you are 39 for 39 in voting to keep earmarks in the bill. And by the way, one might think the gentleman from Arizona is irrational. I do not. I voted with him on a number of occasions, not the majority, but I voted with him on some.

The gentleman from Arizona is a careful Member. He selected the most, to him, outrageous earmarks, and we have Republicans who voted for all 39 outrageous earmarks, according to the gentleman from Arizona. The great majority of the Republican Party voted overwhelmingly to reject the earmarks that, of course, their appropriations colleagues had put in the bill.

So, Mr. Chairman, is that not admirable, Members who got up here and said, How dare you not let us vote against earmarks, when they themselves had no intention of doing that? This is the vegetarians rushing forward to defend the slaughter of beef cattle. This is atheists insisting that people be given a religious day of worship.

This is a very, very impressive display of concern for the others. These

are people who themselves apparently intend to vote for every earmark that comes down the pike. They never met an earmark they didn't like, because if the gentleman from Arizona has done all of his careful research, and he's presented 39 earmarks that he thinks are particularly egregious and Members have voted against him on every one and have voted to keep all 39 earmarks, they've never met an earmark they didn't like.

So their insistence on delaying this bill and repeating arguments. I must say I was here all night last night. I walked in and I don't object to dilatory tactics. I object to excruciatingly boring dilatory tactics. I must say, Mr. Chairman, the Members on the other side are the least imaginative filibusterers I've ever seen. They just repeat themselves and repeat themselves, and stuff that was uninteresting and flat in the first place does not improve with age.

But whatever their tactics, understand they are employing them on behalf of the right of the others to vote against earmarks because it is clear that the overwhelming majority of Republicans have no intention of voting against earmarks, at least not based on the record. They not only voted for bills with earmarks, the gentlewoman from North Carolina acknowledged that earmarks had increased from 1,500 to 15,000 under Republicans, but then, of the 15,000 earmarks, when one of our most diligent Members, the gentleman from Arizona, proposes to kill 39 of the earmarks, the overwhelming majority of Republicans voted against him 39 times.

So, for that dedication to preserving a right that they themselves have no interest in exercising, I give them credit, for very little else, Mr. Chairman.

□ 1430

Mr. JORDAN of Ohio. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the folks on our side, we certainly care about the security of the United States, we care about the security of the homeland, but we also care about how the tax dollars of American families are spent.

The previous speaker talked about the right to vote on earmarks and how some of those people are going to vote for these earmarks. But it's not just about the right to vote on earmarks. It's about the right of American families and American citizens to see what those earmarks are that their elected officials may vote for or against.

I guess I look at this in this light, to paraphrase the line from the movie, "show me the earmarks." Show me the earmarks. Because when you see the earmarks, then you are going to see where the money is going. That's what the American people want to know. We have talked about the term transparency a lot in this debate, because the reason it's so important is the lack of transparency inevitably leads to more spending.

That's just the way it works. We have got to know what's going on. If we don't, more spending is going to occur. If you don't take my word for it, look at the numbers. This bill increases spending 13.6 percent. It's spending that always drives. Spending is the problem. We hear the term, the old cliché with politicians, tax-and-spend politicians. It's really the opposite. It's really the opposite. It's spend-and-tax politicians. Spending drives the equation.

If you think about this, the spending contained in this bill, in the budget we passed that was passed a few weeks back, that spending inevitably will lead to higher taxes. Every single good tax cut that has been put in place over the last 6 years, under the Democrat spending plan, is going to go up, money that would be in the pockets of families to spend on their kids, their goals, their dreams, things that their kids care about, things that their family cares about, their business to reinvest it there. All those things that they would like to spend their money on, those taxes will go up, take money from the hardworking family of this country and give it to government. That's what we are talking about.

That's why we are talking about some of these issues. We want you to show me the earmarks, show us what's there so we can see where ultimately the spending will go and the American people, more importantly, can ultimately see that.

I am reminded of a debate that I had back in my days of the State House. There was a tax increase that was moving through our assembly, I was opposed to it, and I remember a reporter coming up to me and saying Jordan, you are so opposed to this tax increase, you think it's so bad for families and taxpayers across the State of Ohio, he said. But where's the outcry? Where are those families storming the State House to talk about this huge tax increase that you are fighting against?

I said, you know, they're too busy working to pay those taxes to storm the State House. That's the truth. We have got to remember the families out there who have been working hard, making their businesses succeed, making their families reach their goals and dreams they've set. We have got to remember those as we go through this debate.

I would be happy to yield to my colleague from North Carolina who is, I know, the sponsor of the second amendment.

Mr. McHENRY. I thank my friend and colleague from Ohio. This is about whether or not to restrain the growth of government. This is about ensuring the integrity of taxpayer money in this process. It's about ensuring that we know where our taxpayer dollars are going and that there is public scrutiny to that, not just scrutiny from a narrow few in this body.

But while the Speaker slept last night, we were working on the floor to

bring this issue to the American people. While the Speaker slept, we made the case to the American people that this is an important debate to restrain the growth of government, even within the Department of Homeland Security's bureaucracy.

We want to make sure the taxpayer dollar is spent wisely, efficiently, and effectively. This is a healthy debate, because we on this side of the aisle want to restrain the growth of government while those on the other side want to grow and grow and grow the government in all the bureaucracy, especially here in Washington D.C.

It's very important. It's very important for us to engage in this dialogue and debate, for the American people to have scrutiny over this process and through this process. While the Speaker slept last night, we worked till 2 in the morning, till past 2 in the morning, to make sure the American people knew what this new majority, what this new direction was all about.

Mr. JORDAN of Ohio. I thank the gentleman from North Carolina for his work.

Mr. REYES. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in deference to the comments of the last speaker, I think the American people know what's going on here. They know that almost 6 years after 9/11 and over 5 of those years during the time that they controlled this Congress, they couldn't do what we have been able to do with this funding for Homeland Security. They couldn't do it, or they wouldn't do it.

But either way, Homeland Security funding is vitally important.

Why? It's important because it sends a strong, clear message to all the employees of the Department of Homeland Security, including Customs and Border Protection officers, that serve us, serve us well, valiantly around the clock, that we think their work is important.

Last summer, in August, we had a series of hearings. I went to, I think, five or six of those hearings where a number of my colleagues on the other side of the aisle were present as well.

They talked about doing everything that was possible to secure our country's borders. They talked about supporting the Customs and Border Protection officers. They talked about providing them the tools and the weapons and the technology, all the kinds of things that sounded really good.

Yesterday and today, they're singing a different tune. They're talking about stalling. Every minute that we talk about silly things, we aren't talking about serious problems, that demand serious efforts, serious problems that demand serious solutions.

At the very minimum, serious problems that demand serious debate. We don't need Members citing "Animal Farm," which, that's all well and good to make a point, but the American people know that instead of an animal farm, this is a body of a ship of fools here.

We don't need cute and silly things like one is one and two is more than one, because it insults the very people that they profess to support, the employees of the Department of Homeland Security, DHS. By the way, every minute that we take doing these kinds of silly things here, professing to want to debate seriously, we also take time away from the largest increase ever for veterans funding, which is the next bill that's waiting to be taken up here on the floor of the House.

Again, 5 years after 9/11, they couldn't do it, they wouldn't do it. Now they've decided that they're not going to let us follow through on the hollow promises that they had made for 5½ years after 9/11.

These are serious issues that we have an obligation seriously to solve, an obligation that we owe, not just the American people, but the employees of the Department of Homeland Security.

I spent 26½ years serving this Nation proudly on the border. I know the integrity. I know the hard work. I know the dedication that the employees of the Department of Homeland Security give each and every day.

They are, or they should be, respected and are not being respected by the kind of silly debate that has been going on here from Members of the other side of the aisle. I think they deserve better, I think our country deserves better, I think we all deserve better when we reflect that this is the people's House. We deserve better than that kind of silly debate.

I believe that it's important that we return to a process, the regular order of continuing to debate this funding for a very important agency 6 years after 9/11.

Let's get to the business that we were sent here to do. People put their faith and trust in us. Let's not betray that faith and trust. Let's do our job.

Mr. SCHIFF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to make, essentially, two points. First, my friends in the minority lack credibility on the issue they have raised last night and today; and, second, this bill is far too important to be stalled, delayed, put off by blatantly partisan tactics.

On the first point, why does the minority party lack credibility on this issue? Well, one of the two parties during the last 6 years took the largest surpluses, I think we have had in history, and managed to turn those surpluses into deficits, a multitrillion dollar turnaround that was accomplished in a record short time. That party was the party of my friends in the GOP. That's the same party today that is arguing for fiscal responsibility.

One of the two parties presided over the greatest growth and expansion and acceleration and abuse of the earmarking process in history, brought that process to a point where it accounted for more earmarks and more dollars than ever before. That party was also the GOP.

One of the parties in this House presided over a period that resulted in more indictments of Members, more investigations of Members, more appearance of impropriety than any time since ABSCAM or Watergate. That party was the Republican Party.

That same party that abused the earmark process, that had no earmark transparency is now objecting to what? It is now objecting to an earmark process that is better, that is more transparent than it has ever been. That party is objecting to the work of the majority which eliminated all earmarks in last year's bill.

So here you have a party that has demonstrated over the last 5 or 6 years utter fiscal irresponsibility, a lack of willingness to reform the earmark process, now complaining that, okay, the Democrats are reforming the process, they are making it more transparent, but we are complaining because we think they should take it much farther.

Well, I think the last 6 years demonstrated a lack of credibility, a serious lack of credibility among my friends in the minority party.

Why is this bill so important? Why is this bill essential to move forward, and why are these partisan stalling tactics so questionable?

This is the bill that provides the resources to defend our country. I am just going to focus on one because there are numerable areas of this bill that are so vital. But if you go back 5 or 6 years ago when President Bush and Senator KERRY had their debate, they were asked what is the number one security threat facing this country. Their answer surprisingly was the same, nuclear terrorism, the idea that al Qaeda could get nuclear material and bring it into this country.

Well, there are only so many things that prevent al Qaeda from doing that. It's not their lack of motivation or will. Osama bin Laden has already talked about wanting an American Hiroshima. The obstacles are getting the materiel, fashioning the bomb, and getting it into the country. Getting the materiel, unfortunately, is not very difficult, given the plentiful amounts of highly enriched uranium in the former Soviet Union.

Building a bomb is not that difficult because the technology is now decades old. Getting into the country, unfortunately, is not very difficult. That's something this bill seeks to address by deploying radiation-detector portal technologies; and more than just deploying them, as essential as that is, doing the analysis to find out which of the portal technologies will be most effective in keeping a nuclear or radiological weapon out of the country. These are the kinds of investments that are being delayed, stalled, run down by a party that has run our Nation's finances into the ground in the last 6 years, that is complaining about an earmark process better than anything they proposed.

We need to move this bill forward. My friends in the minority don't have the credibility on this issue. They may have had it at some point, but they lost it in the last 6 years. This is not the way to retrieve it.

We need to move this bill forward. Now is the time to do it. We need to implement these reforms to improve our safeguards against nuclear material getting into this country. We need to ensure that our cargo is protected.

We need to ensure that any number of investments that are made in inter-operable communications equipment and our firefighters and our police officers are made, and they are made now.

I urge this bill move forward. I urge the delay come to an end.

□ 1445

Mr. RYAN of Wisconsin. Mr. Chairman, I move to strike the last word.

I want to talk about what my friend from California just mentioned. And I want to just simply say that I think that the gentleman from California is truly a gentleman, and I enjoy the time we've spent together. But there are just a few things I think need to be corrected.

Number one, the gentleman mentioned that over the last 6 years, the Republicans, when they were in charge, squandered the opportunity, lost the credibility. Well, guess what? It's only taken 6 months for this majority, maybe 6 years for the former majority; 6 months, and this majority has turned their back on earmark reforms. Six months into the new majority, and this majority has turned this thing upside down.

What do I mean when I say that, Mr. Chairman?

Let me just quote our current Speaker, on December 14, 2006, "We will bring transparency and openness to the budget process and to the use of earmarks, and we will give the American people the leadership they deserve."

What happened?

Well, a number of things happened. Under the Republican majority, earmarks got out of control. Under the Republican majority, waste occurred. Let me be the first one to say that.

So what happened?

In the last session, Republicans changed the rules. We said, if you're going to have an earmark, a pork-barrel project, Number one, we've got to see it. It's got to be in the bill. A Member has to have their name attached to it, so they have to defend it.

But most importantly, the American people need to see this, and it needs to be in the bill as it comes to the House floor, as it goes to the Senate Chamber, so that the American people have time to look at it, so that transparency and sunlight can bring accountability to the process, and so that we, as the people's Representatives, each and every one of us, representing 670,459 people, can have judgment, can vote on it. That's transparency. That's accountability. It happened late in our majority, but it happened.

What did the Democrats do as they took over the majority?

To their credit, Mr. Chairman, they extended, enhanced and improved upon these rules. So I would, at this moment, like to give some bipartisan credit to the fact that we negotiated these earmark reforms in the last session, and Speaker PELOSI and the Democrats, to their credit, carried them over and made them better.

Where are we 6 months later? Where are we 6 months into this new majority? We went three steps forward, and now we went six steps backwards.

Mr. Chairman, what are we doing?

No transparency, no earmarks in these bills, no opportunity for the American people, the public, to see what's in this legislation. All we have in these bills are big slush funds, a \$5.9 billion slush fund in the bill that's coming up next, a \$20 billion earmark slush fund in the bill coming after that.

What does that mean?

They're putting billions and billions of dollars of fiscal space of a general earmark in these bills, and they're simply saying, this money will be earmarked afterwards, when I, the chairman of the Appropriations Committee decide to put this money in to go toward pet projects, pet constituencies, at my choosing, at my scrutinizing, after Congress has the ability to consider these things on their own merits.

Is that transparency? Is that accountability? Absolutely not, Mr. Chairman.

They have gone backwards, back on their word, back from bringing transparency and accountability to Congress.

So let me just say for the record, both parties have messed this up. Both majorities have seen the light, and this majority is going backwards on this. That is what this is all about.

We recognize we've got to have more transparency and accountability in the way we spend taxpayer dollars. That's one of the problems we have. The other problem is this idea that we can just spend our way into prosperity, this idea that we can just spend more and more and more money, and all things wrong in America will be fixed. If only we take more money out of people's paychecks, bring them up here to Washington and spend their money, every problem can be solved.

This is the problem we have at a basic philosophical level. Here is where we are just 6 months into this new majority.

The President gave us a budget. His budget increased spending across all levels of government. His budget increased discretionary spending. Well, what happened since that budget came? Six billion new dollars in February in the omnibus appropriation. Then, just last month, \$17 billion in new spending of unrelated, nonrequested spending in an emergency appropriation bill to go to funding the troops in Iraq, \$17 billion that has nothing to do with Iraq.

And now, \$21 billion in more spending. \$43 billion out the window, out the door in new spending in just 6 months.

How do you balance the budget, Mr. Chairman? You balance it by controlling spending.

The Acting CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. RYAN of Wisconsin was allowed to proceed for 1 additional minute.)

Mr. RYAN of Wisconsin. We believe you balance the budget by controlling spending, not raising taxes. And at the end of the day, this is what the differences are.

The majority brought to the floor a bill and passed the largest tax increase in American history. They modified it to possibly reduce that to the second largest tax increase in American history. So what can they do? Raise more spending and raise taxes to balance the budget.

We want to balance the budget at a much lower level of taxing and spending. We want more transparency in the process. We want to control Federal spending, and we want the American people to see exactly how their money is being spent so that their Representative can call these issues into question, not put the power in one man's hands here in Congress, which is the current proposal before us.

Mr. COHEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it's been an interesting process these last, give or take, 24 hours. As a freshman legislator who spent 24 years in the Tennessee State senate, in those 24 years in the senate I saw the parties work together. Democrats and Republicans worked together for the betterment of our State. We had Republican governors. We had Democratic governors. We had Republican and Democratic legislators.

What America wants is for the parties to work together. On most of the bills we've had, they were brought by Democrats, and it's been called a Democratic Congress, but many of the bills that were passed by this Congress were done in a bipartisan way.

There were Republicans who voted for stem cell, not a majority, I believe, but Republicans voted for the stem cell research. There were some Republicans who even voted for the minimum wage. There were Republicans who thought prescription drug prices should come down. There were Republicans who even cared about college loans being brought down. There were bipartisan efforts to bring about progress.

There was much less bipartisanship in the effort to save lives in Iraq and end that wasteful and unfortunate policy we have in the Middle East, but—however, there was bipartisanship.

During this debate, one of the most serious requests debates we could have, the Homeland Security bill to protect us from natural disasters, to protect us from foreign enemies and terrorists, we have gotten into the most divisive partisan debate that I've seen in this Congress in the 5 months I've been here.

Much of the debate has not been about the Homeland Security bill, unfortunately, Mr. Chairman. It's been about attempts to attack our Speaker, the first woman ever elected Speaker of this House of Representatives, a great day in this country when the glass ceiling was broken, when a great lady was put in this position, the highest position a woman has ever been in in the legislative body in the history of the United States. To try to tear down the Speaker, trying to tear down the party and trying to bring up other issues, rather than talking about Homeland Security.

Yesterday, Congressman ARCURI spoke, a former prosecutor. He said, you know, in opening statements if a person talks about the facts, they've got a case. And if they talk about things other than the facts, they don't. And the opposition party has not talked about the facts. They've brought up everything but the facts of the Homeland Security bill. They really haven't shown where there are problems with this bill.

The previous speaker, Mr. Chairman, talked about, used all the buzz words, the buzz words of "slush fund," "pet projects," "pork" and others.

The truth of the matter is, Mr. Chairman, and he knows it as well as everybody else knows it, he's not against those things. He just wants his slush fund, his pet projects and his pork. And when people throw those terms out, because that's not what they are, they are Congress citing specific needs to be placed in the law to that represent their districts. But then what he does is disparage government.

I have spent my life in government, my entire life, and I've found it a great calling, and I think we should all try to make people think more and better about government and have young people see this as a high calling, Mr. Chairman. There are young people in our audience. They should see this as a place where they want to serve and see government as working, and I think some of them do.

But to use these terms in a disparaging way when what the party's trying to do is to say, we want our share, we want our earmarks, not pork, but our earmarks, is wrong. And it's wrong when you take the oath of office to uphold the Constitution. You should be upholding government and supporting government.

And it's unfortunate we've seen this. This has been a low point in the Congress since I've been here.

I am proud to be a part of this Congress. There are many Members on the other side of the aisle that I'm proud to serve with as well. There are some very, very fine people, and I'm sure the gentlemen who have spoken today are all fine people.

But we need to rise above some of this partisanship, try to pass this Homeland Security bill, protect our country, and inspire people to serve in government and realize that it's a

process, and the process involves the Senate, and it involves the executive, it involves both sides of the aisle. And to try to tear down one side tears down government in general. We're all part of the process, and I wish we'd work together and pass this bill.

We were up till 2 o'clock this morning because of seven moves to rise and have the committee adjourn. All seven failed. They knew they were all going to fail. And it was a burden on the staff, it was a burden on the Congress, and probably a burden on people that wanted to watch something else on C-SPAN last night.

But with that, Mr. Chairman, I just encourage our colleagues to support this bill, to protect America and to have a debate that is germane to the issues concerning homeland security.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the last word. I intend to yield a couple of minutes to my colleague here.

But before I do, my colleague who just spoke said that we ought to be working together, and I really agree with that. The problem is, to my knowledge, the people on our side really weren't consulted about these appropriation bills in any real detail, and we didn't know that they were going to put pork-barrel projects in the bill after the fact, maybe in conference committee when we didn't have any idea what was going on there and we didn't have any control over those bills because they weren't, those pork-barrel projects weren't debated here on the floor.

So let me just say that we really should work together, and I hope you'll convey that to the chairman of the Appropriations Committee, so in the future we won't be taking this much time on the floor.

I will be happy to yield to my colleague.

Mr. RYAN of Wisconsin. I thank the gentleman from Indiana for yielding.

I want to say to the person who just spoke, who referenced me, that my motivation here is just to come and get more pork for myself. I know the gentleman's new here, but he doesn't know me, if that's what he said.

He also mentioned that you want to make this system more democratic. We should be here fighting for good government and for democracy and fairness. Is giving one man in this body this power like Caesar, to decide whether or not earmarks go in and out of bills, democratic? Is that small D democratic?

Is giving all the power to one chairman on how all 32,000 earmark requests in his power, is that democratic? Or should we have the ability, as Democrats and Republicans, in a small D democracy, the ability to vote on these things?

Shouldn't the American people have the choice and the ability to see how their money is being spent? Or should we, in the name of good government, give the chairman of the Appropriations Committee sole discretion, sole

decision-making power, on how tens of billions of dollars are spent on tens of thousands of projects?

That's democracy? That's good government? That's fairness? I think not, Mr. Chairman.

Mr. Chairman, the idea that we should simply relegate our power, our voting cards, our ability to speak on behalf of our constituents, to one chairman of one committee to spend tens of billions of our taxpayers' hard-earned dollars on tens of thousands of projects, if we think that that is good government, that is fairness, that is what democracies do, that is not my opinion. That is not my value. That is not what I think democracy is all about.

I believe we are here to fight for fairness, transparency, accountability. And what we are here to do is to make sure that our taxpayers dollars are spent wisely, that they are spent in a transparent way, that there is accountability in this system.

Why on earth does each and every one of us want to delegate our law-making power and authority to one person to decide how our taxpayer dollars are spent is beyond me. But for those of you who say that our motivation is simply to get a bigger slice of the pie, to get more pork-barrel spending, that's just not the case. And I think that's insulting.

□ 1500

Mr. COHEN, Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Tennessee.

Mr. COHEN. I apologize to you for that. I don't know you personally, and I was reflecting on the politicians in general, all of our government representatives, Democrats and Republicans. So as far as any direct thing, I shouldn't have said that specifically, and I think you have got a wonderful reputation and I appreciate the fact that your germaneness has returned to you in this debate.

Mr. RYAN of Wisconsin. I appreciate that and I want to be fair and civil here.

But this is a big issue, Mr. Chairman. It is not about delaying some bill. It is about bringing accountability and transparency back to the process in how we spend taxpayer dollars, and it is about not going back on your word, and that is what this majority is doing.

Mr. BURTON of Indiana. Reclaiming my time, Mr. Chairman, I thank the gentleman for his remarks, and I agree with him.

The fact of the matter is that there is billions of dollars in pork that is stuck in this bill or will be stuck in this bill and nobody in this place knows what it is going to be. And many of the liberal newspapers that support your side of the aisle, the Democrat side of the aisle, are taking issue with this practice. So even your own supporters, the New York Times and Washington Post, are giving you Hades for this.

So I would just like to say my colleagues, you ought to reevaluate what you are doing today because I think it is hurting you. You are sticking a knife in your own foot by doing this.

Now, the thing I would like to say before my time runs out is that the Democrats, since they have taken charge, have increased in authorization bills by \$105 billion in new spending. They are hiding pork, as I said, from the American people.

They want to let the tax cuts expire, which means that everybody in this country will have a tax increase. In Indiana it will amount to about \$2,200 per person. That is because you are letting the tax cuts expire.

The Acting CHAIRMAN (Mr. RAHALL). The gentleman's time has expired.

(By unanimous consent, Mr. BURTON of Indiana was allowed to proceed for 1 additional minute.)

Mr. BURTON of Indiana. Mr. Chairman, if the tax cuts expire, that in effect is a tax increase. And that tax increase will amount to \$392 billion on the American people, the largest tax increase in American history.

This second-degree amendment here only cuts \$9 million in spending. Just \$9 million. You guys have already authorized \$105 billion in new spending. Why in the world would you object to a \$9 million spending cut? It doesn't make sense.

My colleague from Tennessee just said that we ought to work together. I really agree with that, and I hope that my colleagues on the other side of the aisle and the appropriations chairman will take that to heart and in the future not do the things that he did in this bill so we won't have to stay here all night and all day debating the same paragraph in one bill because you won't work with the Republican minority. You always complained about us and now you are doing worse.

The Acting CHAIRMAN. The Chair would remind the gentleman from Indiana to address his remarks to the Chair.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in order to work in this House, there are many good friends that we engage with, and I just listened to a good friend of mine on the other side of the aisle. But I think we are missing the straight and narrow road as our colleagues continue to be repetitive and a broken record.

Let me indicate that almost like the terminology "border security" and "war against terror," there is no disagreement between the parties in terms of transparency, I would hope, in this new Congress. My good friends on the other side of the aisle know that the stumbles that they made in the last Congresses motivated the American public to change hands as it relates to the majority. It is certainly foolish for them to think that this majority would muddle it up by not fur-

thering the challenges and the instructions given by the people, which was transparency. And I know that they know that no earmark will move to finality without the American public's having the opportunity to scrutinize and to assess those earmarks of each Member. Earmarks that must serve the American public not special interests.

But now we are in a state which calls to question the commitment of the minority to this whole issue of homeland security. I know that all of us can find a number of different ways to utilize these dollars. What we found from many Members on this side of the aisle is that we have attempted to plus-up, for example, the urban area grants, which help the high-tier, particularly sensitive, and troubled and terror-prone cities around America, that is, moving dollars to improve the security of vulnerable areas.

The simple reduction of funds does not speak to the singular question and the responsibility of the Homeland Security authorizing committee, which I have the honor of serving on as the subcommittee Chair with my chairman, the Honorable BENNIE THOMPSON.

We know every day, as the chairman of the subcommittee on Homeland Security for appropriations, DAVID PRICE, does, and I know his ranking member, that every day questions of homeland security appear before the American public. I have a personal remembrance, Mr. Chairman, of singing on the steps of this body "America the Beautiful" on that forlorn day, a day that no American could ever have imagined in their life, those who were not of the World War II generation to have remembered Pearl Harbor, but no one could have fathomed the strike that came to us on September 11, 2001. It was then that we changed our complete mindset that we had no time, no leeway, no latitude, if you will, to play around the edges of homeland security. We are doing that and we have done that last night. We did that all into the wee hours, playing around homeland security.

And while we fiddle away the time, the first responder and port security grant program is languishing, dollars that are needed by those on the front lines. State grants regarding law enforcement, urban area grants that Houston, as one of the tier-one cities, certainly would be losing and many in the State of Texas. Albeit the incident at JFK is still being explored, even the thought that individuals would have the knowledge to explode a pipeline that would then literally obliterate an airport and the surrounding areas says that we are fiddling while Rome is burning.

And so I want to work with my colleagues. I know that the chairman of this subcommittee does. The chairman of our full Committee on Homeland Security, the authorizing committee, wants to as well. There are issues that we want to confront, and, certainly, I want the most secure airports one can

find, not only the area where the traveling public is but the area where employees are, the area where workers are, the back part of the airport. I want pipelines to be safe.

And as it relates to the issue dealing with preparedness, we were in a subcommittee hearing today where the question has come up whether the disabled are secure, whether the vulnerable communities are secure.

So, Mr. Chairman, let me simply say we are fiddling while Rome is burning. We need to move forward because the question will be for the American public when a tragedy happens, as I close, where were you and what did you do? They will just film what happened last night and what is happening today, and we will not be able to answer the question with dignity.

The leadership in this House believes in homeland security. We need to move this bill forward.

Mr. McCAUL of Texas. Mr. Chairman, I move to strike the last word.

I too am a member of the Homeland Security Committee. I was also a Federal prosecutor in the Public Integrity Section in Washington, and I also serve on the Ethics Committee. I would respectfully submit that we are not muddling up the process but rather trying to restore ethics and integrity to the process and to this institution.

In my view, this is Congress at its worst. Our colleagues on the other side of the aisle have created a secret slush fund with billions in secret earmarks hidden from public scrutiny. This comes on the heels of many broken promises that we heard, promises such as from Speaker PELOSI: "We will bring transparency and openness to the budget process and to the use of earmarks."

The majority leader, STENY HOYER, said: "We are going to adopt rules that make the system of legislation transparent so that we don't legislate in the dark of the night."

Yet that is exactly what is occurring in this body. CNN, not exactly a conservative think tank, actually said that the Democrats promised reform and it is not happening: "The 'anti-earmark reforms' are just for show. Mere window dressing." This process signals a retreat in the secret dealings and a guarantee of fiscal and ethical abuse. Earmarks should always be open to public vetting, full debate, and floor challenge, as we attempted to do in the last Congress.

Now, Mr. OBEY and the Democrats are stuck between the pork and those campaign promises that they made. And so those promises are given away. The majority wants this Congress to operate behind closed doors in dark corridors where the precept of Justice Brandeis that "sunlight is the best disinfectant" is hardly known. The powerful impact of public debate and a free press are critical features of an American democracy and they are missing, Mr. Chairman. They are missing here today in this Congress.

Secrecy creates a breeding ground for corruption. Openness is an important

part of ensuring that government officials are acting in the best interest of the public and that the citizens are not being manipulated by special interest groups.

Here we have one man, one man and an unelected staff, determining the power of the purse for the United States Congress, acting on behalf of 435 Members elected by the United States. Yet we have one man to make all the decisions about the spending for the United States Government. This is not, I submit, a democracy. This is a monarchy.

And to quote James Cooper: "A monarchy is the most expensive of all forms of government, the regal state requiring a costly parade, and he who depends on his own power to rule must strengthen that power by bribing the active and enterprising whom he cannot intimidate."

"A nation is truly corrupt, when, after having, by degrees lost its character and liberty, it slides from democracy into aristocracy for monarchy; this is the death of the political body . . ."

Someone said: "The best weapon of a dictatorship is secrecy, but the best weapon of democracy should be the weapon of openness." That is what we are trying to achieve here today.

I will close with a quote from Lord Byron, and I think he sums up this debate better than any quote I have heard when he said: "The Cardinal is at his wit's end; it is true that he had not far to go."

Mr. WELCH of Vermont. Mr. Chairman, I move to strike the last word.

The question of earmarks really has two questions to it. But, first, why are we here having a debate about earmarks? We are because in the 12 years before the last election, the use of earmarks, something that has been around since the beginning of the Republic, exploded and it went from around \$5 billion in the budget to around \$13 billion in the budget. And it really raises two questions, aside from the political opportunism that may present itself in this debate.

The first question about earmarks is whether it is appropriate for individuals who have the most power in this Congress to take advantage of their situation to get appropriations that go to their districts. Generally, the projects that are funded are projects that are supported and worthwhile. But, in fact, in the budgetary process, it is the people who are in the right committees or have the most power that have the opportunity to get the greatest benefit.

□ 1515

By the way, that is a fairness issue just within this body, because if there is going to be allocation of resources, they should be extended for the benefit of the entire country, people in each and every one of the 435 congressional districts, people in each of the 50 States and our territories.

The second issue is a budgetary reform issue. If you have appropriation by earmarks, if highway projects are funded on the basis of who is on the committee or who is in leadership or who has the ear of the Chair, then it means that decisions are being made on personal relationships as opposed to public need.

I come from a State legislature, Mr. Chairman, where we had to wrestle with this question of earmarks. And every legislator had an immense amount of pressure on them to deliver for their district; in fact, the needs of the district were compelling and reasonable. We had to struggle with an approach that would take the limited funds that were available in our treasury and allocate them for highway projects on the basis of where the greatest need was in the State, not on the basis of who had the most clout.

So, Mr. Chairman, this debate that has resulted in eight motions to rise, spending over 10 hours on what essentially looks like a minor and very political amendment is really not about earmarks, because there has been a complete erasing of history in the role that the other side has played in getting us to the point where we are on earmarks.

Also, this debate on earmarks is taking place in the Homeland Security bill, which is a bill that traditionally has not had earmarks. We could be having a debate about the MILC price support program and arguing about earmarks, but there are no earmarks that have been part of the Homeland Security bill in this Congress or, to its credit, in prior Congresses.

So, why is it that we are arguing about, admittedly an important issue, the question of earmarks and what impact it has on questions of fairness and what impact it has on questions of fiscal responsibility in the Homeland Security bill, that has independent integrity and importance to the people of this country, and where the history has been that there are no earmarks?

It would allow a reasonable observer to conclude that essentially this is about politics. In fact, it is my view and, I think, the view of most people that we really should not be injecting politics into the question of homeland security.

Mr. Chairman, you come from the City of New York. You, better than anyone else, know the urgency of making certain that we have our borders protected, that we are taking aggressive and effective measures to combat terrorism, to detect terrorists coming into our country, to have adequate funds and resources for our local fire departments and our local police stations. So, Mr. Chairman, the loser here is one person, it is the American people. And who wins and who loses in this political debate, whether it's the other side or our side, we will let the commentators decide.

We are making no progress on moving ahead on an earmark reform approach, largely because the vehicle

that the other side has chosen to use is holding hostage a Homeland Security bill that doesn't have earmarks in it, won't have earmarks in it, in the past has not had earmarks in it.

The Acting CHAIRMAN (Mr. WEINER). The question is on the amendment offered by the gentleman from North Carolina (Mr. MCHENRY) to the amendment offered by the gentleman from North Carolina (Ms. FOXX).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. MCHENRY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT NO. 31 OFFERED BY MS. FALLIN

Ms. FALLIN. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 31 offered by Ms. FALLIN:

In title I, under the heading "Office of the Secretary and Executive Management", after the first dollar amount insert "(reduced by \$138,000)".

Ms. FALLIN. Mr. Chairman, this amendment would reduce the executive salary in the Office of Secretary and Executive Management account to the FY 2007 level, representing a \$138,000 reduction from the \$4.588 million to \$4.45 million. The current bill's funding level represents a 3 percent increase over 2007 FY budget enacted.

There has been at least \$105.5 billion in new Federal spending over 5 years authorized by the House Democrat leadership this year. The current Federal debt is \$8.8 trillion, roughly \$29,000 for every U.S. citizen, and growing by over \$1 billion a day. Entitlement spending, Medicare, Medicaid and Social Security is out of control, and within a generation will either force significant cutbacks in services and benefits, or we are going to have to have massive tax increases.

Mr. Chairman, the Congressional Budget Office and Government Accountability Office has been warning Congress that the growth in direct spending, i.e., spending that is on autopilot, and the outside annual spending process are occurring at an unsustainable rate due to well-known demographic trends and other factors. Discretionary spending has also grown exponentially and must be brought under control.

This amendment will be the first step of many necessary steps enforcing fiscal discipline and sanity upon the Federal Government and out-of-control Federal deficit spending. We must restore fiscal discipline and find both commonsense and innovative ways to do more with less. The Federal budget must not grow faster than American families have the ability to pay for it.

Mr. Chairman, I have to say that in my State, my citizens are very concerned about spending in Washington. I have heard a lot of talk this year about the elections and what occurred during the elections, and that voters gave us a mandate for change here in Congress, that they didn't want business as usual. People have told me that Congress spends too much, and we have to remember that the money that we spend here is not our money; it's the taxpayers' money.

And the taxpayers' pocketbooks are stretched these days. The price of gasoline has been skyrocketing, the price of health care, the price of prescription drugs. Families are just squeezed these days. And I believe it is time that we have this discussion about controlling our spending.

Mr. Chairman, I don't have a problem with slowing down this process. I think the American people want us to slow down the spending process. They want us to look at balancing our budget. They want us to prioritize here in Congress what's important, what's a spending priority. They want us to reduce the deficit.

They want to know where the money is going. They appreciate us fine-tuning our appropriation bill. And it seems reasonable to me that we have this discussion. That is why I support this amendment.

There is a 13 percent increase in spending in this appropriation bill, and that's huge. When you have \$1 billion here and \$1 billion there, that all adds up, and we still have many other appropriation bills to consider. And frankly, no one in my district has called me to say, you know what? The government doesn't spend enough. I want you to spend more. They want us to look for government waste. They want us to control spending.

And while we are increasing spending in this Congress, we have yet to even look at other issues that we need to discuss, the rising costs of entitlements, Medicare, Medicaid and Social Security.

Mr. Chairman, last night I heard the majority leader talk about securing America and the funding of homeland security and how important this piece of legislation is. I appreciate his comments, and I agree with that; it is important that we secure America. I don't believe that anyone on my side of the aisle objects to funding homeland security. The objections that we have been talking about over the last 24 hours are about spending. It is about the process of determining how the earmarks are processed and projects are processed.

I want to remind this House that the President and a Republican Congress led the effort to fund homeland security and to protect our Nation. We support homeland security. But I would also like to suggest that securing America also means the financial security of America, the financial security of our Nation. And financial security

comes through transparency, openness and open discussion on this House floor of spending and spending priorities, and allowing Members to participate and to vote on those priorities in the light of day.

This process of voting on a level of funding for homeland security, then having a conference report and then having one person in Congress and their staff decide on the add-ons, the earmarks we're spending, to me just doesn't pass the openness test and the transparency test.

The Acting CHAIRMAN. The time of the gentlewoman from Oklahoma (Ms. FALLIN) has expired.

(By unanimous consent, Ms. FALLIN was allowed to proceed for 2 additional minutes.)

Ms. FALLIN. When I was a kid, we used to have a game we played called "King of the Hill." And that would be when one person would get on this hill and we would fight off others who would come and try to take control.

This process reminds me of the game "King of the Hill", where one person is trying to play that. I just don't believe, Mr. Chairman, that that is the right thing to do.

This is our opportunity in Congress to show that we mean business in controlling our spending, we mean business in reducing our deficit, we mean business in transparency and openness of earmarks. And we can't lose this opportunity, we can't take a step back.

Mr. Chairman, I would just like to request that our appropriations chairman, who is a very capable and able man, delay consideration of this bill until we have proper transparency in the earmark process. It is a choice that the majority can make now, starting with this first appropriation bill. The majority is in control. And also, the appropriations chairman could come to the floor to this debate and assure this body and the Members that we will be able to see the individual earmarks and vote on them on this floor.

This process will not allow us to do that the way it is now. And what better way to start off the appropriations process than to start with this bill, with transparency on the earmarks, transparency of funding?

Let's fix it now, Mr. Chairman.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to offer a few comments on the proposed amendment, and perhaps a reality check, since the Member offering the amendment has neglected some important facts that would put this in perspective.

Mr. Chairman, this is an amendment that, once again, goes after the Office of the Secretary of Homeland Security. Virtually every amendment we have dealt with in this long debate has chosen that target.

We just finished 10 hours of debate on an attempt to cut in half the Secretary's legal advice office. Now, this amendment would cut funding from the

requested level for the Office of the Executive Secretary.

Our friends on the other side of the aisle have spoken all day about the President's requests. Well, what the introducer of this amendment didn't tell us was that the bill, actually cuts \$539,000 from the President's request for this item. So we are well under the President's request, and she wants to cut it further.

For department operations overall, we have cut \$73 million from the President's request, and our recommended amount is also less than was provided for 2007. So, it is not as though we are funding the departmental offices lavishly. Quite the contrary, we have scrutinized the requests carefully. We have cut the requests considerably. But we have tried to give the Department the funds that it needs to maintain its own operations.

Now, we have debated an amendment for 10 hours having to do with the general counsel's office. Last night, we were treated to eight motions to rise, eight motions to go home without continuing or completing work on this bill. I think any fair observer would say this is an attempt to obstruct and to delay. These are desultory motions.

So, now we have another amendment in that same vein. This comes on top of days of our Republican friends railing against bureaucrats. Not one voice on the minority side said a thing in defense of the Bush Administration's legitimate needs for the Department, needs which we have assessed and have actually cut back the funding for, but needs which, nonetheless, one would expect Republican Members to have some interest in, some sensitivity to. Not one voice was raised in defense.

□ 1530

All I can say is that we have scrubbed these administrative items very conscientiously. We have reduced them overall and in particular. So we are confident in our recommendations. But we do have to ask, why? Why should we, on this side of the aisle, stand up for the administration, stand up for the Bush administration's own Department, when Republicans themselves are unwilling to do so?

Now, we are well aware that not every Republican feels this way. There are Republicans and Democrats who have worked in a bipartisan way on Homeland Security on this bill and over many years. But the group of Republicans who are dominating this debate seem to have no regard for that, no interest in it. So it falls to us to defend their own administration. And we are not inclined to make a very strong recommendation on this amendment.

If the Republican Members of this House want to take money away from this account that we have already reduced considerably, then they can be our guest.

Mrs. MUSGRAVE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have heard comments in this Chamber today that

there are attempts on this side of the aisle to obstruct. I'll tell you what the attempt is that we are making over here. It is to shed light on a topic that is now of interest to Americans. We had a Member come into the Chamber last evening, and he was talking about an earmark that he had requested, the "Bridge to Nowhere."

There aren't a lot of people that understood our jargon. They didn't understand our acronyms. It seems like every occupation has its own language. But when the American people started reading about the "Bridge to Nowhere," when it was on the cover of Parade magazine, when you were in the doctor's office waiting and you picked up the Reader's Digest trying to kill a little time, golly, here was an article in the Reader's Digest about the "Bridge to Nowhere."

So suddenly the term "earmark" has come to be understood by the American public. They started reading a little more, and they started finding out about earmarks and how people in Congress with seniority, with a great deal of power because of their seniority, had the ability to direct spending.

It is like when I talk to a high school or a junior high or middle school class. I always tell them, Government has no money of its own. The only money that government has is the money that is extracted from its citizens.

Mr. Chairman, I try to impress this upon young people and try to get them prepared for the first day after they have worked on a job. They get their paycheck and then they take a look at it, and they see how much government is taking out of their paycheck. I want them to start thinking right away about how government spends its money.

I think a lot of Americans, whether Democrat, Republican, if you looked at the political spectrum, whether they were conservative or moderate or liberal, they got a little upset to think about how some individuals had that much power to take tax dollars from people all over the United States and spend them on a project that they deemed important.

I will never forget the first time I was in a press conference, Mr. Chairman, with a number of other Members when we were looking at an omnibus bill, and the visual, just having all those pages right there on a chair was startling. There were all those things in there called "earmarks," and some were just downright silly. I mean, the American public would groan when they would think that Members would take money from citizens around the country and then spend them that way.

So as we worked through this reform process, as we talked about it, we had heroes in our midst that would get up time after time and try to go after some of these egregious earmarks and get beaten back. But you can't always determine who is going to win the war when you look at individual battles.

Although those individual battles were lost, we are going to win the war

on this earmark thing because the American people know right from wrong. They know there should not be an abuse of power where someone on their unelected staff, and I have to tell you, I admire the staffers on Capitol Hill, most of them are young, because we have long days and we have hard work and it takes someone with a sharp mind and dedication to work, but they are not accountable to anybody's constituent.

When I go home to my district, I can read letters to the editor about me. People can call me personally on the phone. People can come to my office. Even though each of us represents over 600,000 people, we are approachable, and we have to be accountable. But staff is not accountable when you have power vested in one individual.

In my family we have a little saying. We say, Does somebody think they are God? And because we are God-fearing Christians, we do not believe that we are talking about capital G-O-D. What we are talking about is G-A-W-D. Who does an individual think they are when they try to exercise this kind of power?

The American public has an innate sense of right and wrong. The public's business should not be done in private, with one all-knowing individual surrounded by staff, getting in letters or comments whether this earmark is good or this earmark is bad. Maybe eventually we will have a sign that says "thumbs up" or "thumbs down" just to conserve time. That is not right. The American people know it, and we all know it.

There has been a problem with earmarks for a long time. Today is the day that we need our friends on the other side of the aisle to admit what we know what they know, and what they know we know, and reform this process.

The Acting CHAIRMAN. The time of the gentlewoman from Colorado (Mrs. MUSGRAVE) has expired.

(By unanimous consent, Mrs. MUSGRAVE was allowed to proceed for 1 additional minute.)

Mrs. MUSGRAVE. Mr. Chairman, today is the day that we know the American people deserve to know how their tax dollars are being spent. If we're going to have earmarks, let's have the whole Congress, 435 of us, duly elected by our constituents, give it an up-or-down vote and have individuals who want an earmark have the courage to stand up and convince them, again, whether Republican, Democrats, conservative, moderate, liberal, wherever you put them on the political spectrum, the American people's business should be conducted in public, and the American people know that.

Mr. FEENEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I never thought I would say that I really miss the grand old days of the liberal tax-and-spend party, because the great liberals in our Nation's recent history were never ashamed about being honest with the

American people that they wanted to raise taxes and they wanted to increase spending. In fact, they campaigned on increasing taxes and they campaigned on increasing spending.

One of the problems we have with the hypocrisy in what is going on in the last 6 months is that we are dramatically increasing taxes, \$392 billion, secretly and surreptitiously, through the budget bill that repeals the most pro-growth tax cuts since Ronald Reagan was President. And now we have a process by which American taxpayers' money will be spent in secret, behind closed doors and in the dark. I really admire the grand old liberal days, when raising taxes and increasing spending was something that was done just right out in the open, where everybody could see it and debate it.

I have heard in the last 10 hours of debate that Republicans have been accused of being repetitious. It is better to be repetitive than disingenuous or hypocritical, in my view.

Winston Churchill once famously said that there is nothing that one government learns so readily from another as how to spend other people's money. I would tell you that there is a critical process that is being undermined here that is important to a functioning Congress and that will embarrass this institution if we don't stop it right now.

That is why this debate is so important. It is not about \$1 million or \$1 billion here or there. It is about how we go forward in spending the people's money in a transparent, honest and open fashion.

We have had our Democratic colleagues point out, I think fairly, that Republicans maybe aren't in the best glass house to throw stones when it comes to the issue of spending money or earmarks. I will tell you that it is very important that we acknowledge Republican failures.

Not all of us were happy with some of the things that happened in my last 6 years. For example, I voted against numerous GOP-led appropriation bills. I voted for virtually all of Congressman JEFF FLAKE's amendments. I was on occasion punished by having my own priorities stripped out of bills.

I voted for cuts in every GOP appropriations bill in my first 6 years. I criticized our Republican President for overspending and for not exercising his veto to discipline Congress. I criticized my own leadership. I supported every reform effort I can think of in the methods of opening up earmark processes to transparency and honesty. I even went on national TV and said that the Republican-led Congress was spending money like drunken sailors.

I have to tell you, a Navy captain in California admonished me. He said Congress was not spending money like drunken sailors; that drunken sailors spend their own money, and, when they run out, they quit spending. And I have to give it to him.

So I want to tell you that not all of us are coming here and ridiculing

things that we have not ridiculed in the past. I applauded the Democratic reforms that were promised in terms of transparency and earmarks. As soon as we were told back in January that the reform-minded Democrats were going to open up the process and make it transparent, I said publicly that that would be one good thing about a Congress that I otherwise disagreed with its priorities.

But here I am 6 months later ruing the day that I ever said something nice about intentions, because the intentions never materialized. In fact, we have gone dramatically backwards. We are now going to have 434 of us give our proxy to the appropriations chairmen, all the cardinals and Chairman OBEY, and we are going to let them decide how to spend the people's money.

We did away with proxy voting decades ago in Congress, and now we are going to have spending by proxy. That is wrong. It is fundamentally an affront to the American people, and it undermines the entire legislative process.

I can tell you that I was Speaker of the Florida legislature, and when there was trouble because of poor spending, it was almost always due to lack of honesty, openness, and transparency. And the Democratic leadership will rue the day, sooner than later, that it put a cloud of secrecy around spending the taxpayers' dollars. They will regret going back on their word.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I was doing some math, and I am sure my colleagues are aware of this. If you are not, you might be shocked. We spent 10 hours on a debate to cut \$8 million from the general counsel. Now, you talk about waste. This place runs, the electricity runs, the people are on salary, and that side made us spend 10 hours just to cut \$8 million, with eight motions to rise to stop the work.

Now, nowhere does anyone get up and discuss the issues in this bill. The bill continues to be a good bill. No matter how much you attack it, no matter how much you avoid dealing with the true issue, the center issue, it continues to be a good bill. I think what is happening here is, as time goes on and different folks and different Members pay attention, we have to continue to repeat some of the things that we have said before, because you put us in that situation.

So, with that in mind, let me remind you that this is the Homeland Security bill. This is the bill and this is the issue that, according to a lot of folks on talk radio, the Republican Party is supposed to be very strong on. Democrats are supposed to be strong on some issues and Republicans are supposed to be strong on some issues, but according to what you tell the world, you are stronger on this.

Mr. Chairman, they claim to be stronger than anyone else in the universe on homeland security, yet you

have spent all night, all night, trying to destroy this Homeland Security bill which protects the homeland.

□ 1545

As I said before, I represent New York City. I was in New York on the day of September 11 and we personally, as the rest of the Nation well knows, suffered the pain of having a terrorist attack. Immediately thereafter, we came to the House floor and we created the Department of Homeland Security. That's what this bill is. This is not a bill that talks about earmarks.

Let's try it again.

Now, as you know, I speak two languages, but out of respect to the stenographer, I won't use Spanish, so I will remind you in English, there are no earmarks in this bill. I would say it in Spanish, but I don't know how to say "earmarks" in Spanish. As soon as I do, I'll find a way to say it.

But I'll say it in English again: There are no earmarks in this bill. There's only security for the homeland. There's port security. There is work for border agents. There is strengthening of cargo shipments, of our airlines, of finding ways to protect ourselves from the possible next terrorist attack. That's what this bill does.

And you spend hour after hour after hour with procedural motions to adjourn to go home, to stop working and telling us that there are somehow earmarks in here that have to come to the light of day and telling us that a new process and a new system has been invented. Yes, a new one is in place. It's one that is going to tell us who, which Member of Congress, asked for money to go to a certain program in his or her district and throughout the Nation.

And let me tell you something. I don't have a problem with that. I don't think that the administration or the bureaucrats are the only people who know how to spend money. I think I know how to spend some dollars in my district. And all an earmark is, is that we tell the agency, spend so much money, usually a very small amount in that particular group, to help that particular group of students, or that particular environmental issue, or to clean up that particular toxic waste. There's not a problem with that.

But when you stand here and tell us that this is what this bill does and that somehow there is a system that has been set up that is horrible, you're kidding yourselves. And so I must do something that I didn't want to do, and I'm not going to mention names because that's not proper. But do you know, my fellow Republicans, that 65 of you have written letters to me, chairman of a subcommittee, asking for 137 projects totaling close to \$350 million?

Now, I didn't get a chance to ask my chairman, Mr. OBEY, but the committee that I chair, Financial Services and General Government, is not one of the larger budgets. I shouldn't admit that in public, but it isn't one of the

largest budgets, and it doesn't have that many areas where you can earmark even if you wanted to. But 65 of you have asked for 137 programs for \$340 million. Some of you have spoken on the floor.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The Chair would remind all Members to address their remarks to the Chair.

Mr. FRANKS of Arizona. Mr. Chairman, I move to strike the last word and to speak in favor of the gentelady's amendment.

Mr. Chairman, Fred Bastiat said in the dawn of this Republic that government is that great fiction through which everyone endeavors to live at the expense of everyone else. I am not sure if there are too many subjects other than earmark transparency being debated here today that hold more relevance to such a comment, and I am afraid that Members of both parties are unwilling to admit that.

It is critically important that we do because it comes down to the very core of who we are as Americans and whether or not we are still capable of self-governance, and whether or not we will allow the fabric of liberty that has been so carefully woven throughout the years to be torn asunder while we all stand by and watch.

So to that end, Mr. Chairman, let me remind Members of this body of some of the promises made by those in the majority only a few short months ago.

One prominent Member said explicitly, "We will bring transparency and openness to the budget process and to the use of earmarks." Another said, "We are going to adopt rules that make the system of legislation transparent so that we don't legislate in the dark of night. We need to have earmarks subject to more debate. That's what debate and public awareness is all about. Democracy works if people know what's going on." Of course this was after campaigning on the pledge to, quote, "make this House the most honest, ethical, and open Congress in history."

But, Mr. Chairman, these promises, though unequivocally made, have been unequivocally broken. Reforms designed to ensure openness, transparency and accountability have been trampled underfoot by the very Members who so vocally called for their enactment. We saw this most egregiously in March of this year with the emergency supplemental legislation, when funds were desperately needed to provide for our men and women in uniform and instead they were laden with \$21 billion in irrelevant pork-barrel spending.

Mr. Chairman, I am afraid we are seeing it again today in this capricious decision to blatantly shut the American public out of one of the most important and necessary duties of this House and our representative form of government, that of allocating taxpayer funds for the general good of the American people.

The chairman of the Appropriations Committee has arbitrarily decided that a few select Members of Congress are more capable of ascertaining the public good than the public is itself. Their actions imply that these Members should be allowed, behind closed doors, to decide where tax dollars are spent without being indebted in any way to the collective intelligence and scrutiny of the general public, the press, the media, the blogosphere, and the American people themselves, of course, who are given the charge to keep their elected Representatives accountable.

Mr. Chairman, in any other case, this would be called an oligarchy, the bureaucratic rule of the few over the many. It was this very arbitrary confiscation of power that once caused our Nation's founders to throw off the yoke of the Crown of England. A single glance at the footnotes of history demonstrates clearly that breaching that dam sets up a dangerous and degenerative historical precedent.

James Madison in the Federalist Papers presaged this misappropriation of power that we are witnessing today when he said it this way: "The apportionment of taxes on the various descriptions of property is an act which seems to require the most exact impartiality. Yet there is no legislative act in which greater opportunity and temptation are given to a predominant party to trample on the rules of justice."

Mr. Chairman, I urge every Member of this body to recall our commitment to God and the people we serve, to preserve the rules of justice. Hidden slush funds, overseen by a very few people in the dark of night, that is not justice, Mr. Chairman. Camouflaged tax increases that could be the largest in history, that is not justice.

We come here in a moment of contention, but we can turn that moment of contention into a time to restore the transparency and accountability to this appropriations process, and I hope we do that, Mr. Chairman. I hope we vote for the gentelady's amendment.

Mr. MURPHY of Connecticut. Mr. Chairman, I move to strike the last word.

My friend who just spoke and those on the other side of the aisle are fond often of quoting our Founding Fathers. I'm not a student of James Madison or some of his brethren, but I would think that they would be turning in their graves if they watched how this House worked for the last 12 years.

I come here as a freshman Member and I am speaking from what I saw from the outside. I am sure this analogy has been used here on the House floor over the course of the last 10 hours, but listening to folks on the other side of the aisle, my Republican friends, complain about the issues of fiscal responsibility and transparency has got to conjure up the image of the bull in the china shop. If you let a bull into a china shop for 12 years and then he just tears down everything off the

walls, he knocks over every case, he breaks every single glass in there. And then in this case, he runs out of the china shop and says, Well, why don't you go in there and clean that up? Why doesn't somebody go clean up the mess that we just made?

That's what happened in this House from those of us who watched it from afar on the issues of transparency and on fiscal responsibility.

You know, it's interesting. I sat here last night being called back and forth to the floor for, I guess, eight different motions to shut down this House and to stop the Homeland Security bill from going forward, and I wondered why hadn't that happened in the last 12 years. Why wasn't there a night while we were wasting billions of dollars on this floor in Iraq, \$9 billion that we found out are totally unaccounted for? Why didn't we shut down the House one night to talk about that?

As thousands of FEMA trailers were stranded on open lots in the southeastern United States, why didn't we shut down this House for one night to talk about that over the last 12 years? While \$70 billion in corporate giveaways were handed out through the Medicare bill, why didn't we shut down this House to talk about that?

Millions of dollars in no-bid contracts. Record deficits year after year. Why on earth wasn't this House shut down like it was last night over the last 12 years?

The American people are probably asking that same question, and there is probably one answer: This House changed hands. There is a different party in charge. And so now there is a very different standard that applies here. The questions that should have been asked for 12 years, well, now in a political context they are being asked today.

I also don't shy away, Mr. Chairman, from the fact that as a new Member, I'm also one of the younger Members here. So I kind of feel that I have an obligation to talk for the millions of my generation that have just become utterly turned off to politics. And when they look at a House being shut down overnight into today, who knows how many more days, to prevent a fairly nonpartisan Homeland Security bill that will protect them, that will protect their parents, their neighbors, that will make their communities a safer place, they know this is about politics, not policy.

And so I think about all of those people who, as they watch this process unfold, are losing their faith in this institution. As angry as I am about the double standard that's applied, about the hypocrisy that's exercised on this House, this House thick with irony over the past several days, I think also about what people think when they see members of the Republican Party playing politics with the issue of homeland security.

Now, we hear claims that this isn't obstruction. We don't have a problem

with slowing down the House to talk about this. Well, I would say this. I think that my friends on the Republican side of the aisle, they vastly underestimate the gullibility of the American people. They also vastly overestimate the amount of patience that the American public has left for the games that are being played here on the House floor.

We have an obligation to do all the things that we were sent here to do, to fund homeland security, to protect this Nation. We also have an obligation to live up to the expectations that people had of this Congress when it changed hands, to take the politics out of this House and to start doing the right thing for the American people, not the right thing for either political party.

I would ask we don't go through tonight what we did last night, that we start doing what's right for the American people on policy rather than what's right for the Republican minority on politics.

Mr. McCOTTER. Mr. Chairman, I move to strike the last word.

I appreciate the opportunity to address the Chair. I will resist the temptation to point out how my Tigers took two out of three from your Mets recently.

I, too, am Generation X and was interested in some of the remarks that were put forward on the floor. First, I do not know that the people who wrote the Federalist Papers and came up with the system of limited government would be rolling in their graves at any attempt that we engage in to stop the obfuscation of earmarks within a process that is less than transparent.

I would also like to note that it is my preference to refer to the bull in the china shop as the bull in the Communist China shop. And speaking of bull, let us not forget that for 4 days this Chamber dealt with little else than a nonbinding/impotent resolution on Iraq that resulted in absolutely nothing except the people's business being delayed for that period of time.

Today, we are here about earmarks and not in general, but in particular the process by which they are inserted into appropriation bills. It seems to me that one of the fundamental problems we have in addressing this is the lack of openness and transparency in the process and that is what this endeavor is about.

It would also strike me that in discussing this process, it is odd to hear the new majority using the President of the United States' budget requests as an absolute baseline of fiscal sanity when throughout the course of the last 4 years in which I have served in this body, they have decried this President of the United States as the epitome of fiscal insanity.

So a baseline request from the President is just that. It is a request.

Now, in many ways we are then bound as an institution to give deference to both the authorizing committees and then the appropriating com-

mittees. But we do not delegate carte blanche our individual power which is vested in us by our constituencies to then oversee the work product of both the authorizing committees and the appropriating committees.

□ 1600

Today we are engaged in trying to exercise and reaffirm the right of not only ourselves but of Members on the other side of the aisle to be able to exercise that power that has been temporarily vested in them by their constituents to fully and fairly vet these bills and to make sure that the appropriations are what they are claimed to be, and to make sure that they are put to the best, most efficient and effective purpose that they can be on behalf of the American people.

Part of the reason this is necessary is not everyone in this Chamber takes the same approach to earmarks as other Members might. Some Members do no earmarks at all. Some Members prefer to do many, many earmarks. And some Members, I cite myself, do earmarks at the request of their local municipalities so we can serve as conduits back to our States.

I come from Michigan. It is critical to us that we receive our fair share of Federal spending because we pay more than our fair share of Federal taxes. My State, Michigan, is a donor State. Michigan is currently in a one-state recession, and it is very important that our taxpayers receive their money back. But that is my individual approach. That approach has to be vetted by 434 of my colleagues here, and only an open and transparent process will ensure that if I have made a priority request through a earmark, it is in keeping with the best interest not only of my district but within the best interest of the entire American people.

It would seem to me this is a very reasonable approach, it is a very reasonable request, and it is a request that we are pressing today, as we did yesterday, and will continue to do so because it is part of our constitutional obligation we take as Members of this body.

Were we to do otherwise, it would be a dangerous precedent to set because in my mind we are tragically on the verge of coming up with a new kind of system which will allow very little transparency and openness and thus injure the ability of not only ourselves but the American people to know how their money is being spent.

In the past there was the old joke that in the Congress you had Republicans, Democrats and appropriators. If the process that we in the minority find so offensive is allowed to proceed, you will now have four distinct entities. You will have Republicans, you will have Democrats, you will have appropriators, and you will have super-appropriators.

I don't know if the new super-appropriators get to make these decisions in the dead of night, also get to wear a

cape and cowl, if they come with a sporty car so they can chase down Federal earmarks, or if they have a cave or a pole to slide down at their leisure as they go off to work to spend other people's money.

I think, however, this would be a tragic development and would oppose it.

The Acting CHAIRMAN. The time of the gentleman from Michigan (Mr. McCOTTER) has expired.

(By unanimous consent, Mr. McCOTTER was allowed to proceed for 30 additional seconds.)

Mr. McCOTTER. Finally, as a member of Generation X, I would like to ask the baby boomers who devised this process to do as you Age of Aquarians often do, let the sun shine in.

Mr. JOHNSON of Georgia. Mr. Chairman, I move to strike the last word.

I came to Washington, D.C. on January 4 and was sworn in, took a solemn pledge to go to work on behalf of the citizens of this great Nation. We went to work, this side of the aisle, and even with some of our brothers and sisters from the other side of the aisle, we passed legislation. We did things for the least of these, such as the minimum wage. Since then we have taken care of our veterans.

Everything that we have done has ended up being objected to by either our Chief Executive or by our friends on the other side of the aisle. It seems like there is no interest in effectuating good legislation on behalf of the people of this country. It seems as if there is a conspiracy to hold things up now that there has been a change in power. It seems there is a conspiracy to throw monkey wrenches in the plans of those on our side who would do things to pull this country out of morass that it has been in for the last 6 years.

Last night, Mr. Chairman, was a culmination of that conspiracy. It resulted in us being here until 2 a.m. handling trivial motions which were designed to obstruct the progress of the Homeland Security bill which has made its way through committee and has found itself now in a state for final passage.

This is a bill that has no earmarks in it, yet we have got the other side claiming that there is something bad about earmarks happening. The thing is the American people want us to pass this bill. It is going to provide moneys for Customs and Border Patrol and border protection. It is going to help reduce lines at airports by helping fund the Transportation Security Administration, TSA. It will fund the Coast Guard. It will even provide funds for FEMA. And it will provide funding for State and local formula grants. Are we going to pass this bill? Yes, it is going to pass overwhelmingly when the other side finishes playing their games. But the American people see through this.

It is deeply disappointing that we would treat these appropriations bills as a means by which we exercise futile, meaningless and deeply partisan tactics instead of doing the hard work

that the American people put us here to do.

I need to remind Members present here today that this debate that we are having about earmarks is really no debate at all, and it is putting needed funds at risk to combat terrorism, and it hurts us in keeping our promises to our veterans and all of the important other issues that this bill addresses.

My home State of Georgia in particular will be better prepared with needed funding delivered to the Urban Area Security Initiative and first responders.

The Hartsfield-Jackson Airport in Atlanta, the busiest airport in the world, should not suffer because the minority side chooses to hold the Transportation Security Administration funding hostage.

But instead of debating the merits of the bill, they choose to play political games. I choose to work. I ask my friends to please drop the political showmanship and let's proceed to do what the American people want us to do and what they expect us to do and that is to go to work and allow ourselves to be guided by the mandate that the American people have given us.

They clearly told us to gather on this sacred floor to find solutions to the problems that they are confronted with on a daily basis and not to engage in the spectacle like what we did last night.

My friends on the other side of the aisle, you decided to take this vital bill that would provide us with needed protection and turn it into a political exercise. Now is not the time and here is not the place to do that. Let's get on with the business and move this bill forward.

Ms. FOXX. Mr. Chairman, I move to strike the last word.

It is clear that the gentleman from Georgia is new here because he has obviously not seen this process played out in the past, or seen his colleagues on his side take days and days and days to take care of appropriations bill and to throw problems in our way.

What he is saying is so disingenuous. This bill does not have to be approved until October 1. The budgets are out there for these agencies until October 1. This does not have to be done today; it doesn't have to be done tomorrow. There is plenty of time to do this.

But what the Democrats have allowed us to do is to expose their hypocrisy. They are giving us that opportunity. Now, we could stop all of this debate immediately, and we would be happy to do that. All they have to do is stop shrouding the earmarks in secrecy. They think that our wanting to expose their secret earmarks is trivial. My constituents in the Fifth Congressional District of North Carolina don't think that is trivial.

And my colleague here earlier who said that Republicans ask for earmarks, certainly Republicans ask for earmarks, and I think that is appropriate.

I didn't ask for any earmarks in this bill. I don't know anybody who asked for earmarks in this bill, but people do. But he misses the whole point, as the Democrats do. They are now trying to turn this on us. They are in the majority. They can handle this problem easily. All they have to do is put out a list of the earmarks, and let everybody know what they are.

No, we have a chairman who wants to have those earmarks in secret until after the bills are passed and then vote on them.

Also, my colleague from New York talks about wasting time. Ladies and gentlemen, I have just been dying to talk about this, and he has given me the perfect opportunity. The majority party said we are going to have people in Washington 5 days a week so you will work. Well, I work very hard when I'm in my district. I know they love to be in Washington, D.C., but let me tell you about waste of time. Let me tell you about some of the bills that have been brought to this floor for us to vote on. It goes on and on and on. There has been one substantive bill signed by the President in 6 months of this Congress.

But let me tell you some of the wonderful, exciting, necessary bills: Recognizing National Americorps Week; supporting the goals and ideals of National Public Works Week; honoring the contributions of the Rocky Mountain Senior Games on its 30th anniversary; in observance of National Physical Education and Sports Week; supporting the goals and ideals of Financial Literacy Month; honoring the 50th anniversary of the international geophysical year; expressing the support for National Foster Parents Day; honoring the life and accomplishments of Gian Carlo Menotti; recognizing the benefits and importance of school-based music education; recognizing the 45th anniversary of John Hershel Glenn's historic achievement; supporting the goals and ideals of National Community College Month.

That's why we come to Washington 5 days a week and that our colleagues think that our wanting to shed the light of day on these egregious earmarks is trivial? Folks, I want to tell you, the people in my district do not think it is trivial, but they think some of that stuff we have been voting on, and I could spend the next 5 days reading out the titles of these bills when we talk about waste of time.

But let me tell you, even their press, their friendly press, gets it; and I think the American public gets it. They want to change the topic and make it look like we are obstructing justice. We are shedding light on the problems.

CNN, again, not a bastion of conservativeness said: When Democrats took control of Congress, they promised lawmakers would go public with their requests for funding. They have not done so.

Earmarks should be scrutinized before spending bills go into effect. They are not doing that.

OBEY's move for staff scrutiny comes at the expense of greater openness and examination by the public and other lawmakers. That is from AP.

This is from Roll Call: This year despite promises to run the most open and honest House ever, Democrats began by making sure that no challenges would be in order if Obey certified that a bill was free of earmarks.

It is over and over again. Even the press that normally supports them is saying they have made a mistake, they have overreached. We don't need more secrecy in this process. We want things out in the light of day. If I ask for an earmark, I better be proud of it and to have it published, and I am. But they don't want to do that. They want to keep it secret. And then they want to let the staff vet the earmarks, not even the Members. That is not the way to operate the House of Representatives.

Mr. GINGREY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my colleague from Georgia, Representative JOHNSON from DeKalb County, spoke just a few minutes ago. I have great respect for the gentleman from Georgia, a freshman Member doing a great job in this body. Of course he talked about the underlying bill and what is wrong with the bill.

Well, I move to strike the last word in support of the amendment. The gentlelady from Oklahoma, the former lieutenant governor, a long-term lieutenant governor, I think the first ever in the history of the State of Oklahoma, female lieutenant governor, I support her amendment. And I say to the gentleman from Georgia, my good friend, there is nothing wrong with the underlying bill, and possibly he is correct. As the subcommittee chairman has said, there are no earmarks in this Homeland Security bill or traditionally in a Homeland Security bill.

But the problem with the bill is it is an increase up to 14 percent in spending on that particular appropriations bill, 7 percent more than what is in the President's budget, what the President called for.

So as the gentlewoman from Oklahoma knows with her amendment, it is just one more opportunity to try to bring, as she is doing, to bring fiscal responsibility into the process and say some of these programs, you can pick them apart and name certain ones.

□ 1615

We have to have that, but pretty soon, we're talking about \$60, \$70, \$80 billion worth of additional spending that the Democrats are going to bring on the backs of the American taxpayer at the end of this fiscal year, and that's what we're railing against. And I would say that to my good friend from Georgia, the gentleman from DeKalb.

But more than that, Mr. Chairman, much more than that, of course, is this issue of earmarks. I talked to a good supporter from my district just recently, in fact this afternoon, and he

reminded me of the outrage at our own party, at our Republican Party, and reminded me that we are in the minority because of not being fiscally responsible, fiscally prudent, losing our brand, if you will, not fulfilling the pledges upon which we took office, indeed upon which the President took office 6½ years ago.

Yes, certainly our party is outraged and we get the message, and that's why we are determined to bring fiscal responsibility to the people's House and this issue of earmarks and all of this pork, the Democrats, the Democratic majority got that majority by railing against maybe the sins of my colleagues in regard to earmarks.

So this is what really it's all about, not particularly that we're opposed to this specific appropriations bill on homeland security. And I think the subcommittee chairman has done a good job, just as the ranking member has.

But Mr. Chairman, let me just say this. Here is what the Democratic majority has an opportunity to do. They can take all of these bills, all of these appropriations bills back to the Rules Committee and bring them to the floor with a closed rule, something that's unprecedented, and I don't think that the majority will do that. I hope they won't do that, but they could.

This is the option I would recommend. I recommended it yesterday when I spoke on another amendment. Mr. OBEY, the chairman of the Appropriations Committee, Mr. Chairman, has said that he's going to take all of the earmarks that he plans to airdrop in a conference report, where none of the Members will have an opportunity to vote up or down, but he's going to shine some sunshine, some daylight, on that by publishing them before the August recess in the CONGRESSIONAL RECORD; and any Member, they will have an opportunity, maybe over that month, to look at all of those earmarks. And if they don't like them, they can write a letter to the chairman of the Appropriations Committee and say, I'm opposed to that particular Member's earmark.

And then who makes a decision? One person. He's not God. He's just chairman of the Appropriations Committee, and he makes a decision, well, am I going to airdrop those amendments, yes or no?

Well, I want to suggest once again, Mr. Chairman, to Chairman OBEY, here is what you can do. All of those earmarks that you publish in that CONGRESSIONAL RECORD before the August recess, you can bring those back.

The Acting CHAIRMAN. The time of the gentleman from Georgia (Mr. GINGREY) has expired.

(By unanimous consent, Mr. GINGREY was allowed to proceed for 1 additional minute.)

Mr. GINGREY. Then when we come back from the August recess, he can bundle those all up as a bill or a resolu-

tion coming through the Appropriations Committee, having a special rule, hopefully an open rule, bring it to the floor of this House, and then let each and every Member vote those earmarks up or down. And you can have them sectioned off for each of the 11 or 12 appropriation bills.

That's the opportunity that we want to give to the new majority, and I hope the leadership will, in consultation with the chairman of the Appropriations Committee, a member of almost 40 years of this body, will come to that conclusion, because as one of my colleagues said last night, we don't want to trade in our voting card for a piece of paper and a pen so that we can write a letter.

That's taking away the rights of the minority, but even more importantly, Mr. Chairman, it's taking away the rights of the American people. It's unfair. It's not the right thing to do.

And I pledge and plead and beg my colleagues in the majority to do the right thing.

Mr. GARRETT of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we come here this afternoon on the eve of one-quarter of the way through the 110th Congress, and we have to ask ourselves, what now that the Democrats are in control of this House have they wrought? Three things: The largest tax increase in America's history on America's families; secondly, a breaking of the rules and/or their promises; and finally, what we learned last night, slush funds in very important appropriations bills.

If you were listening to this discussion last night, some of our friends on the other side of the aisle, in essence, justified their actions here today with this legislation by looking back to a couple of incidents in the past, back in the 1990s or what have you, and said, well, if it was done in the past, we're going to continue this tradition in the future.

I think the gentleman from Minnesota raised the point before quite accurately. Did they not hear the message that the voters of this country sent in the November election? I can tell you, we heard that message loud and clear.

The American public is tired of politics as usual. The American public is tired of the games in Washington. The American public is tired of changing the rules as you go along just to get your end.

We heard that message, and that is why we came to the floor last night and today. We are not politicizing this. We are just trying to protect the American public on important issues such as homeland security. At the end of the day, we heard. On the other side of the aisle, we thought the other side of the aisle did.

On these three points, tax increases. I have the opportunity and honor of serving on the Budget Committee, and I quite honestly was amazed, after all

the hearings that we heard at the beginning of the year about the fiscal constraints we should be living under and the problems that we have, and yet we saw the budget that they presented us at the time of a \$392 million tax increase in their original budget would affect everybody with tax increases.

Increase in the marginal rate of \$182 billion; reduction in the child tax credit of \$27 billion; increase in the marriage penalty of \$13 billion; increase in the death tax, \$91 billion; increase in the capital gains and dividend tax, \$32 billion; other tax increases, \$47 billion, all huge numbers. But if you break it right down to the individual family, you know what it comes out to be? Well, the New York Times answered that question.

They said the average family of four living in my area in the State of New Jersey, would see their taxes go up by around \$50 or \$100 or more. That's what the other side gave us when they gave us the largest tax increase in U.S. history.

Breaking of the record, breaking of promises, breaking of the rules. Well, if you follow what we do here on the floor, you will recall that it was just about a month ago when the other side of the aisle was trying to change the rules of the House that had been put in place as far back as 1820 to allow the minority to have the opportunity to offer motions to recommit and the like in the manner in which we have done in the past, as I say, for over 200 years. We fortunately were able to thwart those moves. We hopefully will be able to thwart their moves now as they try to break the rules again when it comes to transparencies and earmarks and the like.

And finally, when it comes to the third point, slush funds, slush funds? Can you imagine that we're still talking about in this day and age Members from the other side of the aisle creating an appropriation process where there are slush funds, where one Member is going to decide where literally billions and billions of American taxpayers' dollars go?

These are not just my comments as far as the criticism of the other side of the aisle. Let's take a look at what outside individuals and the media are commenting on this.

Public Citizen's Craig Holman said, speaking of what the Democrats are doing, "It violates the whole spirit of the reform itself. We really did expect that earmark requests were going to be an open book so that all of America could sit there and take a look at who is requesting what earmark."

Over on CNN, not a conservative network by any means, CNN's John Roberts said, "The question people are asking today is, 'What happened to the Democrats' promise to shed light on the earmarks?' Because this plan as announced seems to do the opposite."

Brianna Keilar, also from CNN, "Democrats now are on the defense with Republicans . . . But advocacy

groups say" their actions "still violate the spirit of what Democrats said they would do when they came into power in January."

Mr. Chairman, we are not trivializing this. If anything, the other side of the aisle is trivializing a very important piece of legislation, Homeland Security, an issue that is extremely important to my district, inasmuch as we live in the shadows of the Twin Towers.

Let's hear what the American public says and return civility and the rule of law to the House of Representatives.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I move to strike the last word.

Mr. Chairman, today I rise to commend my colleague from North Carolina for his leadership on the Homeland Security Appropriations bill, and I applaud him and members of the subcommittee who helped craft this bill.

The Homeland Security Appropriations bill is a top priority for the country, and it should be a top priority for every Member of this body.

Now, let's be clear. This bill protects the American people on Wall Street and on Main Street, on your street and on my street. We owe it to the American people to provide the highest levels of safety and security possible, and this bill does just that. The legislation will help protect our homes, families and communities from those who would do us harm.

This bill protects our borders. It fully funds the Customs and Border Protection Agency and adds 3,000 new Border Patrol agents to secure our borders.

This bill funds our first responders and provides them with the critical equipment that they need. It ensures that our own local police departments have access to the information and intelligence they need to perform a meaningful role in counterterrorism.

This bill restores the President's cuts to firefighters to ensure that those who protect our homes, our small businesses, our schools and our communities have the resources that they now lack to keep us safe.

The bill restores critical interoperability funding that will allow local police, firefighters and emergency responders to communicate during a crisis.

This bill protects our airports and our airplanes with baggage screening funding, and it protects our ships and seaports with funding for maritime security.

Mr. Chairman, I have my 8-year-old daughter with me this week, and as we observe the antics from my friends across the aisle, I'm reminded of a game that my daughter often plays with her friends called Consequences. Probably each of us has played that game at one time or another, but not when the stakes are as high as they are in this Chamber.

Basically what happens is, each child writes down on cards an event and a consequence of that event. The cards are shuffled and read out loud in a

muddled sequence, with one event leading to consequences that then make no sense at all. This is not child's play, and Members of the people's House play the game of Consequences at their peril.

By obstructing this critical bill, they have elevated the politics of pork over the security of the American people.

Mr. Chairman, Republicans should stop playing the political game of consequences and join Democrats in focusing on getting things done and protecting our homeland, because the real consequences of holding up this bill are serious. That is what the election on November 7, 2006, was about.

I was elected in the 109th Congress, and I didn't see any of my colleagues on the other side of the aisle leaping to their feet to demand that their name be published next to the appropriations request that they submitted. I didn't see anybody leaping to their feet on the other side of the aisle insisting on reform. Where were the reformers on the other side of the aisle in the 109th, in the 108th, in the 107th, in the 106th? Where were they?

Now, suddenly, they're leaping to their feet, saying to the American people that they know what the election on November 7 was about. Why didn't they do any of this or insist on any of this before now? Because they didn't believe in it.

Mr. MCHENRY. Mr. Chairman, will the gentlewoman yield?

Ms. WASSERMAN SCHULTZ. I yield to the gentleman from North Carolina.

Mr. MCHENRY. Mr. Chairman, I appreciate my colleague yielding. There's a simple fact. We had a strong earmark rule in the last Congress, and we're asking you to reinstate the earmark rule.

Ms. WASSERMAN SCHULTZ. Reclaiming my time, if you had one, it was not evident. It was absent because one of the main reasons that the people insisted upon putting Democrats in the majority and moving this country in a new direction is because there was an absence of reform here, an absence of oversight, an abdication of the Congress' responsibilities.

And that's why Democrats are in charge. That's why we are making sure that we actually reform the process, put transparency into the appropriations process, own up to the earmarks that we sponsor and make sure that people know what we're asking for when we want to bring home funding to our districts, not do it in the shadows as was the practice up until the 110th Congress.

□ 1630

Mr. MCHENRY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to respond to my colleague from Florida. What she said was factually incorrect. The Republican Congress put in a strong earmark reform so the American people can see what we are spending here on this House floor. It's a mat-

ter of transparency and openness which the Democrats campaigned upon. What they have done in this whole process is put those earmarks back in the shadows, in the shadows of the chairman's pocket, and the chairman can divvy them up as he sees fit.

That is not the direction we should be moving in, and we are not delaying this bill. What we are doing is having a debate on the size and scope of the government and whether or not we should allow pork-barrel projects to invade our appropriations process or whether or not we should have openness and restrain the size and growth of government. That's what this debate is about, and it's a good debate.

Mr. Chairman, I yield to my colleague and friend from Kentucky for the remainder of my time.

Mr. DAVIS of Kentucky. I thank the gentleman.

Mr. Chairman, I think it's somewhat ironic. Listening to the words of the gentlewoman from Florida reminds me of a comment that Machiavelli made centuries ago. He said: "For this is the tragedy of man—circumstances change, but he does not."

It's fascinating that the Democrats ran on a platform of wanting to bring about the most ethical Congress ever, but, frankly, I have to say it's a sham based upon this approach to earmark reform. This is not earmark reform.

In fact, the reason we were here last night, contrary to the comments from the other speakers, was to protect the American people and to protect their right to accountability for every dollar that is spent in this Chamber. Let's look for a moment on the structure of accountability before talking about the validity of earmarks.

Last night, when we asked about the ability to debate specific spending bills, we were told, oh, this is in the guise of transparency, but, of course, you won't be able to vote on the individual earmarks. You can only vote after those have been dropped in after the conference report.

I would have to say this is a most surprising thing. In fact, we were told, with tremendous sincerity on the part of the gentleman from Wisconsin, that, in fact, this would be a wonderful way to protect the people's rights to transparency, and, frankly, wall us completely out of the process.

How is that? Well, I would be able to object to egregious spending. We have seen that in a number of areas through the years on both sides of the aisle. But how would we object to that from my office in Kentucky? I would be able to write a letter to the chairman of the Appropriations Committee. In fact, the staff members would make the decision on whether that was a legitimate earmark or not.

I have great respect for the staffs that work at all the committees in our offices and the House. But I would like to remind the gentleman from Wisconsin, the Members from the other side of the aisle, that last November, in

the election that they claim the American people chose to have a new direction, I didn't see the name of any staff member from Capitol Hill on a Federal ballot anywhere in the United States.

The people who were elected to uphold and defend the Constitution, who were to make sure that the people's money was spent wisely, were not staff members. The staff members were accountable to elected officials. Ultimately, the elected officials have to make those decisions because we are the ones that were accountable to the people.

What will the public know about these earmarks? All they see of them is at the last minute when we get into a position of simply voting up or down on a conference report where we will not have that ability to debate or to discuss those bills.

In fact, let me be clear about this. I don't think earmarks in and of themselves can be bad. They can be very good, but they should all be subject to public debate here in this Chamber on this floor or in this committee where they can be voted on up or down by a majority of Members clearly making a decision and being accountable for those decisions.

There are many good earmarks: investing in public works, creating jobs that can lay a foundation for future growth. The root of this practice is based on the idea there are many funding priorities very specific and unique to districts or regions of the country that should be decided by our elected officials, not some faceless bureaucrat in Washington, not some person hidden in a cubicle or an office away from the light of scrutiny and accountability.

To say this is bringing an ethical posture to Congress, I beg to differ with that. In fact, I believe what it would do is increase the likelihood of malfeasance on the part of taxpayers' dollars by taking away the direct accountability with Members of Congress.

In the Fourth District, I don't want a faceless bureaucrat to make those decisions. In fact, I am proud of every earmark that I have secured for the Fourth District of Kentucky. I want the people to know that this is how we believe, working with our local leaders, that taxpayer dollars should be reinvested in our communities, how their dollars should be spent that they can see that firsthand and see that return.

However, the process would be significantly improved if every earmark were defined in the bill, their sponsors named and that we have the ability to challenge those and let each Member defend the merits on return and investment to the American taxpayer on each one of them.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this has been a wonderful debate. For about 30 years, I hung around courtrooms and watched lawyers talk to juries, and a lot of times lawyers use terminology that people didn't understand.

We just used a ton of terminology, and every once in a while pick up on one or two that I think that maybe newcomers to this House really don't understand, maybe someone else that might be in the House or listening to the House might not understand. I want to talk about some of those things.

First I would like to address, before I do that, I want to point out that we have done an awful lot of talk about history. You know, last year is history.

In fact, yesterday is history. Today is reality and tomorrow, who knows.

But there was just a tirade of numbers thrown out of Congresses just a few months ago. If you want to play that game, then let's take the 40 years prior to the Republicans coming into the majority of Congress and say, what about those 20 Congresses that had the opportunity to reform the appropriations process?

That's a ridiculous argument. That argument carries no water whatsoever. The reality of the problem that we are addressing on earmarks actually came to the forefront when the vast majority of the people that sit in these chairs, in both parties, were surprised by the activities of a few who violated their sacred trust to the United States Government.

We had an election where all of us got painted with the brush of that few. But the reality is, the vast majority of people on this side of the aisle, and I am sure my colleagues on the other side of the aisle, were shocked to disbelief over some of the things that occurred with Members of the Congress, and are continuing to occur, to come to light. Recently, we had light spread on another shocking event that we have had here in Congress.

You know, the nature of democracy is that problems leap up in your face, and you react to those problems. We have had leap into our face that secretism when dealing with money causes people like Jack Abramoff to end up in prison, and those that may be associated possibly end up in prison.

If you look and study what happened, it's all secret things. That's the real offense we are talking about, when we say let's let daylight in on this earmark process. A term that we have used a lot is airdrop, but most people think airdrop, plane, parachute, that drops it in.

What we are really talking about is once a process goes through the House and the Senate, bills come to a conference committee, which is made up of representatives of both bodies. It is in a closed room behind closed doors where the bills are worked out to where they can get a compromise that both bodies can then vote on.

When we refer to airdrops, these are these expenditures and appropriation bills that when it comes back to this body, if we can dig through and find it, we go, where in the heck did that come from? We can't find any record anywhere of anybody talking about that in

the Senate of the House. There it is. Where did that come from? So it's like it dropped out of thin air.

I think that's where the term "air-drop" gets its meaning. It's that when the Members of this body and the other body look at the final product and say where did that come from.

I think the proposal that's being made by the majority on their new earmark reform, by its very definition, creates a large body. We hear 31,000 possible "where did that come from" from for every Member of this body, except maybe one and some staffers who, some believe, are more competent than the Members of this body.

The Acting CHAIRMAN. The time of the gentleman from Texas (Mr. CARTER) has expired.

(By unanimous consent, Mr. CARTER was allowed to proceed for 1 additional minute.)

Mr. CARTER. Mr. Chairman, when we had these scandals, and we had the debate last term of Congress about this airdropping, this appropriations process, the public asked us to put what we were doing under a microscope and then let them see it.

That's what we are doing today. That's what we are going to continue to do until the whole process is visible and out in the daylight, and that's what this is all about.

Mr. PERLMUTTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today to support the Homeland Security appropriation, and I would just have to say the word "irony" has been used by both sides of the aisle quite a bit. I think the irony here is that the Republican side of the aisle is trying to do what they did last year, which is not to pass a budget, not to pass appropriations and try to bring this country to a halt by delaying, delaying, delaying.

Well, that's fine and dandy for them to play those kinds of games, but this country expects a change. It voted for a change in direction. It voted for strong national security, which this bill reflects and represents.

This bill reflects and represents protection on our borders, protection on our ports. We have additions to FEMA so that we have protection and response to natural disasters. Instead, our friends would like to stall and hold this Chamber hostage because they can't get the pork they want. They want their pork, and they want to eat it too.

Ladies and gentlemen, this is wrong. This stalling tactic has got to stop. This Nation deserves much better than what we are seeing from the Republican side of the aisle.

They would like us to ignore the fact that billions of dollars are missing in Iraq under their administration and under their leadership. They would like us to forget the fact that there were sweetheart deals to Halliburton and to many others where there was no bid and no contracts.

They would like the country to forget history, which has brought this

country into the biggest debt that we have ever seen. They would rather talk about earmarks, which they really mean to be pork, because they aren't going to get their pork. They aren't going to get their bridge to nowhere because we are not going to let them have that. We will fight for the American people every day, as long as it takes.

We are here because of guys like Jack Abramoff, Duke Cunningham, Bob Ney, Mark Foley. Those are the individuals that helped create a Democratic majority because people were tired of it, and they wanted a change in direction.

We're going to change the focus of this Congress and this Nation from what the Republicans did, which was the wealthiest 1 percent to the hard-working people in the middle. We passed a minimum wage law. We passed bills out of here to reduce the cost of prescription drugs under Medicare part D. We are focused, ladies and gentlemen, under this bill on the national security of the United States of America.

Instead, our friends on the other side are focused on pork and their bridges to nowhere.

This is a travesty; this is a delaying tactic. This is not in the interests of the United States of America. I support this bill and ask for an "aye" vote.

Mr. DAVIS of Kentucky. Mr. Chairman, I move to strike the last word.

Before I speak, I would like to just share one thing. The gentleman who was just speaking reminds me again of the comment that Machiavelli made that the tragedy of man is that circumstances change, but he does not.

And in all of this rhetoric, I would remind the gentleman we were actually debating a Homeland Security bill, I haven't heard one person answer our reasoned arguments to ask them to defend the appropriations chairmen or the Speaker's approach to earmarks by taking them off the floor and out of committee and removing them from debate and accountability.

I happened to be in the meetings last year where the Republican conference was at work to move to improve the accountability. Certainly, I believe in complete transparency of records, and we have heard nobody defend the chairman's position on this.

I have heard no Democrat get up and defend the chairman's position on earmarks at all. They want to use ad hominem arguments, talk about yesterday. I think the gentleman is right: what happened yesterday, in fact, is history.

So far, to make this the most ethical House in history, I would think that openness and transparency would improve accountability, and not simply contribute to the increase of greenhouse gases in the atmosphere.

□ 1645

We talk a lot about that, but I think that a lot has been created inadvertently from the other side.

The issue is not whether earmarks themselves, it's not whether earmarks themselves are good or bad. It's simply having a mechanism for accountability for the American people so that they can see that.

One perfect example is a large project of national and regional significance that's in my district that affects 71 congressional districts. We worked together in a bipartisan manner through the 109th Congress to secure all of the funding necessary to the lead-up to the construction of the Brent Spence bridge on I-75 that connects Northern Kentucky and Cincinnati. This was not a Republican or Democrat project, it was an American project where many, many Members, ranging from south Florida, all the way to the Upper Peninsula of Michigan, up into the Northeast saw their districts, their industries, their jobs affected by that meaningful investment in infrastructure that would benefit the Nation as a whole.

We wanted that accountability. We debated it in public. We talked about it repeatedly. We made the case not only to one another in the House, but to the American people, that there would be a return on investment.

And I think, at the end of the day, that's the real key. Projects like that are not bridges to nowhere. Projects like that in the full disclosure of the light of day show a proper stewardship of the tax resources of the American people that are given to us to spend. But to take it away and not answer the fundamental question, to say that these are tactics to stall for pork, I would respectfully disagree with the comments that have been made, because nobody has defended the fundamental question that accountability, in fact, has been taken away and removed.

NANCY PELOSI, the Speaker of the House, stated on March 17, 2006 that "before Members vote on the bill, there should be an appropriate time for people to be able to read it, that it be a matter of public record. And if there's an earmark that can stand the scrutiny, then that transparency will give the opportunity for it to be there."

Unfortunately, moving to a concept of omnibus bills or dropping them in at the conference where there's not that room for debate or discussion, I think it creates opportunities that, I won't go so far as to suggest that there's an issue with integrity, but more importantly, as a businessman, as somebody who was a consultant helping companies to maximize their investments, their productivity, to keep their jobs and to grow, there's a greater risk of redundancy. There's a greater risk of waste. There's a greater risk of less efficient ways to go about solving the problem in a particular region.

The benefit of debate and the benefit of dialogue is to give us a synergy that, at the end of the day, will give us results that will benefit the American people. And I think that we've been trusted with the people's money.

This legislation, today, the structure and the reason that we have been put into a position where we have to exercise process to force this debate, is no different than what happened a month ago when a germaneness rule, where the minority had the opportunity to offer alternative opinions that had been in place since 1822; folks who stated that they were respecters of the institution moved to strike that rule, and we were simply informed an hour before it was going to go into effect, and we exercised our rights through procedure to remove all unanimous consent and to move to a place where this had to be brought into the light of day because of the opportunities that were given for Members before.

At the end of the day, that was wisely repealed that there could be some degree of comity and debate. In this same vein now, I think it's important that, rather than returning to the politics of yesteryear, of a bygone era, I think what we need to do is move forward in a spirit of openness.

We live in an information world that's interconnected and open and gives access. Let's give the people access to all the earmarks. Give it to them early. Let Members on both sides of the aisle stand by their projects, justify them to the American people.

The Acting CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. DAVIS of Kentucky was allowed to proceed for 1 additional minute.)

Mr. DAVIS of Kentucky. And with that, at the end of the day, what we come up with is not a majority or minority solution, not a Democrat or Republican or liberal or conservative solution. We come up with an American solution that optimizes the resources that we are entrusted with by the American people.

Mr. THOMPSON of Mississippi. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it's been 5 years since the Department of Homeland Security was established. November's election demonstrated that the Nation agreed with the Democrats' new direction for America.

In the movie *A Few Good Men*, Tom Cruise asked Jack Nicholson for the truth. Nicholson's response: You can't handle the truth.

Mr. Chairman, can the minority handle the truth? I submit to you today that the minority cannot, in fact, handle the truth. Mr. Chairman, the truth is that the minority can hear the heart of the American people no more than they could before November.

Truth is, Mr. OBEY has made this process way more transparent than it was under the minority's watch. The truth is, we have much more of an efficient process. Most importantly, the truth is that there are no earmarks in this bill that we're debating here today.

The appropriations measure has been on the floor for 12 hours and still

counting. Eight motions for the committee to rise later, the minority continues to stifle progress, the minority continues to foster trivial debate to defer and deter us from our mission.

Perhaps the minority's not in touch with the interests of our Nation. The Nation is interested in leadership that remembers not to forget. The Nation is looking for leadership that remembers 9/11, leadership that remembers Katrina, leadership that realizes that there are still vulnerabilities that we need to address to prevent the next terrorist attack or natural disaster.

Chairman PRICE has showed leadership by addressing these issues in this bill, as my committee addressed in H.R. 1, 1401 and 1684.

We owe Department employees, we owe the Department's management, and we owe our great country the passage of this appropriations measure.

Mr. Chairman, I invite my colleagues in the majority to join me as chairman of the House Homeland Security Committee in passing a measure that brings us one step closer to protecting this Nation.

Homeland security is not a partisan issue. Mr. Chairman, it's an American issue. If we agree on that, then let's end this obstruction and pass this bill.

Mr. LAMBORN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to just say that American ingenuity and civic involvement have come forward again. The American people are a creative and involved people. And I have here a letter from a blog site called porkbusters.org; let me just read you a couple of sentences from this blog site.

"As you know, Internet technology has made research faster and easier than at any previous time in human history. By releasing your 32,000 earmark request publicly, I, and other taxpayers across the country could work together in a cooperative effort to determine which Members of Congress may have financial conflicts attached to their earmark requests, which local projects may be unworthy of Federal funding, and which may have value to the taxpayers.

"Thanks for your consideration of this matter. I and millions of my fellow taxpayers across America stand ready to help you evaluate these 32,000 earmark requests. After all, we are the ones who are paying for these requested projects; the least we can do is help you evaluate their merit."

We have volunteers now coming forward that are willing to help the overworked staff on appropriations that apparently do not have the time to look at these earmarks, and haven't had time over the last several months. Although we've had time for a lot of other things to do, but we haven't had time for that. So volunteers are now coming forward, and the American people are standing ready and they will be willing to help.

And on another note, I would just like to give a question to the col-

leagues I have on the other side of the aisle. I hear a lot of discussion about what's in the bill. And the bill has many good things. No one's denying that. There are some problems with the bill. The bill has some really good projects in it.

But why not talk about the earmark process that amounts to doing it in secret, that amounts to doing earmarks in the month of August when we're out of session, when we can't debate it, when it's going to be done in conference committee? We will not have a chance to vote one by one on these earmarks.

And you know that, generally speaking, past history is that the earmarks will be passed. Even when they're challenged, even when they're brought into the sunshine. They will, generally speaking, be passed. So really what do you have to be afraid of? They're probably going to pass anyway, unfortunately, even the most egregious ones. So you really have nothing to fear, and you really don't need to hide them, but you're doing so anyway, and I think that that's wrong.

Mrs. DRAKE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield my time to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. I thank the gentlelady, and I'll consume just a portion of the time.

First off, to the gentleman from the other side of the aisle asking what truth is, and he went through a litany of truths, I ask, are his truths the same truths as America's truths when it comes to what is occurring here?

And as the gentleman behind me from Michigan, who is often quoting lyrics of music from Jesus Christ Superstar, are truths not unchanging law? And in this case, I would suggest that they are. Your laws are constantly being changed, or I should say your rules are constantly being broken that you implement and that you promise. So your truths are simply truths based upon laws that have been rules that you decide in November you're going to promise and then later on break.

As I've said each time that I come to this floor, what has this Congress under the Democrat leadership brought us? The largest tax increase in U.S. history; a breaking of the rules, so that now we see that they can change their definition of truths; and as we learned last night, surpluses, or rather, hidden fees and funds within these accounts as well.

But the point that I wanted to make at this point is to a point that the chairman raised last night, and that is to the difficulty of actually trying to address these earmarks. He said that they would rely upon the staff of his committee to effectuate this.

While I think we all take our hats off and commend the work of his committee. The staffers for the Appropriations Committee are probably some of the best and the brightest that this

House has. These Members of the Appropriations Committee are also the same Members who appropriate their own salaries, for that matter. That committee is charged with the responsibility of bringing these facts not only to the House, but to the American public as well.

If the truth is that they are unable to perform their job, perhaps they can look outside this Chamber for assistance. I have a letter here of an organization, a good government organization, that made such an offer. Tim Phillips from Americans for Prosperity indicated to Chairman OBEY just a week ago, realizing what he had heard as well from Chairman OBEY that he is having difficulty, as he said, the extra time "to evaluate the 36,000-plus earmark requests that have been submitted to the Appropriations Committee this year."

The chairman says, I think we have a hell of a lot more ability than the individual working alone to do it, referencing the staff.

Well, Mr. Phillips, of American Prosperity came up with, I think, an appropriate manner or way to address these problems, if his committee and his staff and himself are not able to get this job done on time as the American public wants him to. May I read from the letter which says, "I think that the thousands, the millions of individual taxpayers, working together, could greatly aid you in completing your earmark request evaluation before you resort to sticking earmarks into unamendable final legislation behind the closed doors of a conference committee. That's why, on behalf of thousands of Americans for Prosperity members from coast to coast, I'm writing to offer our help to you and your staff in evaluating this year's earmark request."

You know, it's interesting. The chairman said last night that it would take literally weeks, if not months, to get the job done if they were to start right now. I think we have to ask the question, why are we even considering them starting right now? Why haven't they started weeks ago on this matter?

Let me get back to the letter. "As you know, Internet technology has made research faster and easier than at any previous time in history." This is the crux of the argument. "By releasing your 36,000 earmark requests to Americans for Prosperity, our allies and other taxpayer groups, and to concerned citizens around the country, we will be able to unleash taxpayers across the country in a cooperative effort to determine which Members of Congress may have financial conflicts attached to their earmark requests, which local projects may be unworthy of Federal funding and which may be of value to the taxpayer."

He thanks him for the consideration, the members of Americans for Prosperity, millions of taxpayers who stand ready to help to evaluate those 36,000 earmark requests because, after all, it

is those millions of American taxpayers, they're the ones, at the end of the day, who are going to be responsible for paying for those requests.

The least that we can do in this House is, if the chairman and his committee and his side of the aisle cannot get the job done, the least we can do is turn over that responsibility and seek the assistance of the American taxpayer.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oklahoma (Ms. FALLIN).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. GARRETT of New Jersey. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Oklahoma will be postponed.

□ 1700

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE UNDER SECRETARY FOR
MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), \$237,765,000, of which not to exceed \$3,000 shall be for official reception and representation expenses: *Provided*, That of the total amount provided, \$6,000,000 shall remain available until expended solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations and \$300,000 shall remain available until expended by the Federal Law Enforcement Training Accreditation Board for the needs of Federal law enforcement agencies participating in training accreditation: *Provided further*, That no funding provided under this heading may be used to design, build, or relocate any Departmental activity to the Saint Elizabeths campus until the Department submits to the Committees on Appropriations of the Senate and the House of Representatives: (1) the published U-Visa rule, and (2) a detailed expenditure plan for checkpoint support and explosive detection systems refurbishment, procurement, and installations on an airport-by-airport basis for fiscal year 2008.

AMENDMENT NO. 9 OFFERED BY MRS. DRAKE

Mrs. DRAKE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mrs. DRAKE: Page 2, line 16, after the dollar amount, insert "(reduced by \$10,400,000)".

Page 17, line 23, after the dollar amount, insert "(increased by \$9,100,000)".

Mrs. DRAKE. Mr. Chairman, I introduce an amendment today to highlight the importance of State and local law enforcement participation in immigration enforcement.

The intent of this amendment is to fully fund the President's budget request of \$26.4 million for State and

local law enforcement support for the training and support for the voluntary participation of local law enforcement officers and immigration law enforcement as authorized under section 287(g) of the Immigration and Nationality Act.

This program is designed to enhance cooperation and communication between Federal, State, and local law enforcement in identifying and removing criminal illegal aliens. Under 287(g), ICE provides State and local law enforcement with the training and authorization to identify; process; and, when appropriate, detain immigration offenders they encounter during their regular daily law enforcement activity.

It is very important to note that the 287(g) program is not used for rounding up illegal aliens in random street operations. This program is targeted specifically for those individuals who pose a significant threat to public safety and national security. Additionally, the 287(g) program is not used to determine the legal status of witnesses and victims of crime. Officers in the 287(g) program are trained to respect the status of witnesses and victims involved in a criminal case in order to ensure the integrity of our criminal justice system.

Currently, the 287(g) program is implemented in 13 jurisdictions. Perhaps the jurisdiction with the greatest success in this program is Mecklenburg County, North Carolina. In just 12 months, Sheriff Jim Pendergraph has been able to identify and deport nearly 1,900 criminal illegal aliens, most of whom had been previously ordered deported by an immigration judge. This program is working and the demand for participation among the States is increasing.

And in the report accompanying this appropriations bill, the committee has acknowledged the importance of identifying criminal illegal aliens while incarcerated in our State and local jails. Participation in the 287(g) program can rectify that problem.

Immigration enforcement is clearly a Federal responsibility. It is the Federal Government's primary duty to ensure the safety and security of its citizens. But we cannot do it alone. We need the assistance of our State and local law enforcement who encounter these issues on a daily basis.

Mr. Chairman, I urge my colleagues to support this important amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

I wish, Mr. Chairman, to offer some comments on this amendment.

The amendment offered by the gentlewoman from Virginia would reduce the Department of Homeland Security Under Secretary for Management Account by \$10.4 million and reallocate \$9.1 million of the funds to the ICE 287(g) program. Because of the differences in outlays, the remaining \$1.3 million cannot be used.

Now, as we have said on this floor many times in the last 18 hours of de-

bate, our Republican friends seem determined to trash the front offices at the Department of Homeland Security. They rail against bureaucrats. They have no regard for the President's requests for those front offices. The fact is that the Under Secretary for Management funding is critical for the Department of Homeland Security to ensure that it develops its new headquarters in a consolidated way and that it does its job.

But if our friends on the Republican side of the aisle are not going to defend their own administration's needs in this regard, let alone their budget requests, I and my colleagues here are not inclined to do so. So our colleagues will need to look at this amendment and maybe they will want to support it, the source of funding notwithstanding.

Let me say something about the recipient of these funds, the 287(g) program. Now, the ICE 287(g) program does require additional funding next year, and it requires additional funding because of the emphasis that we are placing in our bill on the necessity of ICE's getting serious about preventing the release of prisoners, people who have committed serious crimes, who are deportable, permitting the release of those people back out on the streets. It is just outrageous that criminals who have been convicted, who have committed serious crimes in this country are being put out on the street without their status even being checked.

So we do have in this bill a requirement for ICE to contact every prison, jail, and correctional facility in this country on a monthly basis to identify removable criminal aliens. And we have provided a good deal of additional 287(g) funding to enroll correctional facilities in this program and to provide training and technical support to participants so they can provide accurate and actionable data to ICE agents.

So we have tripled ICE's funding. We have tripled ICE's funding. We have more than tripled the amounts provided in fiscal year 2007, that was \$5.4 million, to \$17.3 million in fiscal year 2008. Now, we think that is sufficient to enable ICE to undertake these duties as well as to carry on its existing functions because, first of all, it is a tripling in funding. Secondly, the Department has yet to obligate more than half of a \$50 million appropriation made in 2006 for this program. It has not yet been obligated.

I have to say to my colleagues that as far as the 287(g) program is concerned, the availability of funding is not the issue. Trying to increase participation rates is the issue. But it is not just a matter of throwing money at the problem, as our friends like to say.

So ICE is going to take on, we hope and believe, significant new responsibilities. We have provided funding to accomplish that, and we are also, of course, assuming that the Department is going to obligate that \$50 million that is sitting there already.

Now, our colleague has offered an amendment to provide yet more funding for ICE, funding that it is not clear to me that she has really analyzed how and when the funding can be used. But if she wishes to take yet another bite out of her own administration's front office accounts at Homeland Security, then, again, she can be our guest.

I do want my colleagues to know, though, that we are serious about this prison program. We think of all the priorities in terms of deportation, this is at the top of the list. It is a major feature of our bill. ICE is going to be directed to undertake this as a top priority. We know it will require funding. We have provided the funding, and perhaps in the best of all worlds this additional funding contained in this amendment would help this function be performed even more effectively. That would be a positive way to look at it, and for that reason we will not be opposing the amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the gentlewoman's amendment. I have some concerns about the offset, but I believe this amendment will help restore balance to ICE's enforcement resources as well as the agency's support for State and local officials. As I said when we opened this debate, I believe a fiscally responsible funding level includes sufficient resources to carry out all legislative functions and directions.

This amendment helps to restore some balance of resources to meet the bill's mandate for ICE to contact every correctional facility across the country, over 5,000 of them, at least once a month to identify incarcerated aliens that can be deported and to initiate those deportation proceedings. That mandate is a lofty goal. Over 5,000 local and State jails and detention facilities that you have got to contact monthly and talk to the jailers who are State or local officials and are not being paid to help you with this, it is an unfunded mandate, and who are also not qualified to judge whether or not a person that is incarcerated is an illegal alien. It is not their job, and they are not trained for it. So that is going to be a difficult goal to implement and one that is unfunded but, I think, worthwhile.

So I remain concerned that the bill presupposes that ICE can simply redirect resources from some other vital criminal investigation or fugitive operation to meet this unfunded mandate. I mean, ICE is understaffed as it is with personnel out there. You take a lot of personnel off of what they are doing now to check with every jail in the country, 2,000 of which hardly have any incarcerated aliens in them anyway, and you have got to take that personnel off of fugitive operations, catching people who are not in jail who are rapists and murderers and thieves, and deport them.

So the bottom line is we have got to have some more money for ICE to do

this new chore. In fact, the bill even suggests resources can be drawn from the 287(g) program to meet this mandate. But then the bill reduces funding for that very program by almost 30 percent below the request.

So restoring the \$9.1 million cut in the 287(g) program will provide additional funds to help State and local correctional facilities at the ID and processing of illegal aliens, the very priority the bill is trying to force. In fact, over 40 percent of the local law enforcement officers trained to date through the 287(g) program are from jails and correctional facilities in States like Florida, Arizona, Alabama, North Carolina, California.

Look at some of the notable results from the ICE's 287(g) program.

□ 1715

I am quoting from the Nashville City Paper printed April 24. "If the first week's worth of figures hold up, the number of illegal immigrants deported in the first year of the national 287(g) program would be more than 4,200, or equal to 11 percent of Nashville's total, legal and illegal, Hispanic population, according to a City Paper analysis of the first batch of 287(g) immigration enforcement data."

Bottom line, Mr. Chairman, the 287(g) program is too vital a program in the fight to secure our borders to accept the bill's \$9.1 million cut.

I urge Members to support the Drake amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

I would like to enter into a colloquy with the distinguished chairman of the Subcommittee on Homeland Security on the Appropriations Committee.

Mr. Chairman, we have learned from the recent devastation of Hurricanes Katrina, Rita and Wilma, as well as Tropical Storm Allison, which devastated my city of Houston in 2001, that severe consequences can result from not having the proper hurricane preparedness plans and outreach efforts in place prior to such a disaster.

In my own district in Houston, and in New Orleans, and in communities throughout America, we have personally seen firsthand that minorities, the elderly, the disabled and impoverished populations have not been adequately prepared for the upcoming hurricane seasons or, in fact, hurricane seasons in the past.

I am particularly dismayed that these vulnerable populations have not been targeted by outreach efforts communicating the need to prepare for a major hurricane or other natural disaster. Hurricanes Katrina and Rita struck some of America's most vulnerable and disadvantaged communities. Even rural communities have suffered from the lack of focus on emergency preparedness, communities which are just now beginning to find their feet again after these devastating storms.

National, State and local governments have not fulfilled their responsi-

bility to ensure that they are not, once again, left to face nature's wrath alone. My colleague from Minnesota, Representative JIM RAMSTAD, has stated that the disaster in the gulf coast region exposed the enormous gaps in the emergency planning preparedness and management for people with disabilities. We desperately need to fill these gaps.

Mr. Chairman, I had intended to offer an amendment to H.R. 2638, the Homeland Security Appropriations Act of 2008, that would have provided an additional \$5 million to FEMA to support emergency preparedness outreach and program efforts for vulnerable communities, including racial and ethnic minorities, persons with disabilities, the elderly, and the economically disadvantaged.

However, money does not answer all questions, and I would be willing to forgo offering my amendment if the chairman would be willing to work with me to ensure that FEMA makes specific efforts to engage those most vulnerable members of our communities in programs that would involve the necessary preparedness, education, training and awareness that is necessary to prepare our communities.

Mr. PRICE of North Carolina. I thank the gentlelady from Texas for raising this important issue. I will be happy to work with you on it. I want to thank you for your leadership on the issue. I agree with you, as the chairman of a Homeland Security subcommittee, that much more must be done to engage our communities about the need to be prepared for all types of disasters and that special efforts are required to engage the most vulnerable members of our communities. It is a very valuable focus that you brought to this.

So that's why we fund FEMA's management and administration account at \$685 million, \$150 million above the current fiscal year. FEMA has told us of its plans to engage in this type of preparedness effort. We intend to monitor that. We strongly support it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank you.

I am aware of dedicated community activists that have stepped forward to fill the void left by Federal, State and local governments. Currently, FEMA's national preparedness director only has an acting deputy administrator rather than the permanent leadership this office requires. Further, this administrator testified before our Homeland Security Subcommittee that our national strategy for citizen preparedness must be rooted in strong local efforts to integrate citizens and communities, and requires locally or regionally developed plans to address each community's unique risk and capabilities.

He also testified to the need for utilizing volunteer services, since there are not enough emergency responders to take care of everyone in every location during the most critical time.

I understand the chairman believes there are funds available in the legislation for FEMA to reach out to these State and local activists and groups to provide them with the resources that they need to continue their vitally important work, and to work to ensure that the absolute debacle that we saw 2 years ago before, during, and after Hurricane Katrina is never allowed to happen again. One such activist is Mr. Charles X. White, who has worked tirelessly to provide much-needed resources for Houston's vulnerable communities.

In light of predictions of a devastating hurricane season this year, we must take action to ensure that those who are reaching neglected segments of our American population are adequately funded, including these vulnerable populations, racial, ethnic, disabled, elderly and others.

I look forward to working with you, Mr. Chairman, on report language as this bill goes forward, to ensure that hurricane preparedness outreach to vulnerable communities is a priority for FEMA.

The Acting CHAIRMAN. The time of the gentlewoman has expired.

(By unanimous consent, Ms. JACKSON-LEE of Texas was allowed to proceed for 1 additional minute.)

Ms. JACKSON-LEE of Texas. I yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. I thank the gentlewoman. I will be happy to work with her on report language.

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman for his work on this legislation, this appropriations bill. And I thank you on behalf of the vulnerable communities across America who may be facing a tough hurricane or man-made disaster season.

We need FEMA to focus their attention. I thank the gentleman for his work and his support.

Mrs. BLACKBURN. Mr. Chairman, I move to strike the last word.

I rise in support of the amendment from the gentlelady of Virginia, and also in support of the 287(g) program.

I want to thank the ranking member for mentioning our program in Nashville, Tennessee, and talking a little bit about that. He gave us some information about why this program works. I would like to expand on that for just a couple of minutes, and then I'm going to yield to the gentleman from Virginia for a couple of minutes of remarks.

The program in Nashville, the 287(g) program there, is working. We understand that it yields results. You heard about the first week's results from this program.

Now, the reason we need to put our money where our mouth is and the reason the funding needs to support the language in the bill is because this is a program that saves local governments money. And it works. And there is a waiting list to get into this program.

Now, a follow-up on the comments that the ranking member made from the June 10 issue of the Nashville Tennessean. Fifteen deputies from the Davidson County department underwent training, and now they check the immigration status of every foreign-born person that is booked to that jail.

Also, they have 213 inmates that were held on immigration orders during the program's first 45 days. It is a sharp increase from the 151 metro jail prisoners subjected to immigration holds in the year of 2006. This is paying for itself. It is getting results. That is why this program deserves to be fully funded.

At this point, I would like to yield to the gentleman from Virginia (Mr. CANTOR) for his 2 minutes of remarks.

Mr. CANTOR. I thank the gentlelady. And I want to commend the committee for bringing this bill forward, but really take some difference in the remarks that were made regarding the gentlelady from Virginia's amendment on the 287(g) program. I couldn't think of anything that would be more effective in helping us enforce the law in the interior of this country than additional funds for this program.

As some of the speakers prior to me have said, we need all hands on deck as far as the criminal population that has made its way into this country. We need the ability to go after these criminals, in the words of the gentleman from Kentucky, these rapists, these murderers and these thieves. And there is no more effective way to identify them than to empower the folks, the first responders that are on the ground in our communities across this country.

Now, some of the words from the gentleman of North Carolina, the chairman of the subcommittee, were that, in fact, we have too much money in this program and it hasn't been used, and, in fact, they are unobligated funds. Well, then I would say to the gentleman and to my colleagues that we haven't done our job, because we have got to do our job to put the vision out there that we intend to get serious about the illegal immigration population, especially those that are criminals in this country.

The American people expect us to enforce the law. This vehicle allows the Federal Government to step up to the plate to provide local law enforcement and our agencies at home the necessary resources and the tools with which to identify and apprehend the illegal population that has run afoul of our law in the interior of this country.

Not more than a month ago we saw the individuals in New Jersey; we saw them apprehended, planning a terrorist attack on Fort Dix in that State. Later, we come to find out that those individuals had had various run-ins with the law, and in fact, combined, 75 times had been involved with some type of either traffic violation or other criminal interdiction, but yet these individuals were never identified as being illegal.

We have got to make sure that that scenario is not repeated. We have got to empower the most powerful force we've got, which is that on the grounds and in our local community.

So I would urge my colleagues to join the gentlelady from Virginia Beach in making sure that we adequately fund this program and insist that our local law enforcement agencies have the necessary tools and the resources that they need to assist in enforcing the law.

Mrs. BLACKBURN. I would yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. I thank the gentlelady for yielding. And to both Members, there are just a few thousand ICE agents, but there are literally hundreds of thousands of local law enforcement officials.

The Acting CHAIRMAN. The time of the gentlewoman has expired.

(By unanimous consent, Mrs. BLACKBURN was allowed to proceed for 1 additional minute.)

Mr. ROGERS of Kentucky. If 287(g) would provide the training and the authority for the local law enforcement to do just as the gentleman has said, think of the law enforcement power that can be brought to bear on the severe problem the country faces of getting rid of convicts in the penitentiaries, as well as fugitives on the run and on the lam, and raping and plundering and robbing in the country. I think it's as simple as ABC. I don't know why we don't do more of it.

I thank the gentlelady.

Mrs. BLACKBURN. Mr. Chairman, precisely, there are 13 jurisdictions that have this program. It works. We need this Nation right. The cop on the beat needs the information to get to these criminals that are on our streets.

Let's fully fund the 287(g). We're looking at \$36.3 billion. There is money to do this right and be a good steward of our taxpayers' money.

Mr. FARR. Mr. Chairman, I rise to strike the last word.

I rise on this issue with just some concern here that we don't lose perspective of what we're really trying to accomplish.

This was an issue brought up in the committee, probably the most popular issue of all, which was that we wanted ICE, which is the second largest law enforcement agency in the country next to the FBI, at the rate it's growing, it's going to be bigger than the FBI, we wanted them to do their job of being able to determine whether people who had been arrested at the local level and were in jail, maybe not yet sentenced, but were pending trial or were being held, that somebody would review their legal status.

The question is that this program that we are debating and wanting to put more money into, and frankly, the committee doubled the amount of money that's going into it, which is a grant program to local governments, not all local governments are keen on wanting to do this. Why? Because they

have emphasized what they call "community policing."

They want the local law enforcement officer to be a friend of the community in order to be involved with the community, to have communities trust them. And if they think that the local law enforcement is also the Border Patrol, they are going to shut up and stop talking to cops. And you get all kinds of issues with this, particularly when it comes to children who are afraid of law enforcement, and so on, if they are the ones that are going to arrest their moms and dads.

So, let's put this into some perspective. What we really need to do is make sure that the ICE, the Federal law enforcement, does their job. Why? Because they are trained.

I have a note here from my sheriff saying that the ICE comes to our jails in Monterey County, a small rural county in California, three times a week. He said the number of confirmed, undocumented prison inmates varies. Last quarter, there were 52 identified undocumented inmates in Monterey County. The previous quarter there were also 52; prior to that, 72.

Some of the inmates claim citizenship status or legal permanent residency and don't have their documentation order. It takes some time to label them and do all that legal background work.

□ 1730

That is not what the legal background work is. We have that information. That is Federal information.

As we pointed out before, we have no national ID. None of you in here can prove you are an American citizens by any card you carry in your wallet, unless you want to show your voting card, but they won't accept that in the airport so I don't know what valid status that has.

The point here is, let's not stop making ICE do their job. They should be doing these local jail checks. If you want to do additional training for local jailers, that is fine. That is what this program is about. But don't substitute it so the local government has to do it, because I think you ought to believe that criminal management up to your local elected officials, your sheriffs and your police chiefs, to make that decision.

This is the second largest police force in the United States. It ought to be doing jail checks. They are the ones that have the qualifications to look into the Federal Information Bank to see whether these people are properly documented, and I think we ought to make sure that they do their job.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. FARR. I yield to the gentleman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I just want to say the gentleman is absolutely right. We have to separate what ICE does from local law enforcement. This is trying to back-

door immigration reform. We really need, not piecemeal immigration reform, if we are going to do it.

ICE, in relation with the jails, that works. Make sure the incarcerated criminals are tracked in the right direction. But to go into neighborhoods using local law enforcement that is now using ICE money to train them really, I think, undermines the law enforcement system in that community, and law-abiding citizens who would be willing to help solve a crime are now being victimized.

If we are going to do immigration reform, let's do it. Let's do it in the right way. But let's not manipulate local law enforcement, who in fact have made official statements on the record that they would prefer not to be engaged in Federal immigration work.

So I thank the gentleman for the point that he has made, and I hope that this body will get down at some point to a reasonable and rational response to the problems of the immigration system.

Mr. FARR. Mr. Chairman, reclaiming my time, this amendment has been accepted. I am just concerned that we still need to put pressure on ICE to do the real jail checks.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, when I talk to my local sheriffs back home, one of whom actually burned out the battery on my cell phone, what they want to do is do what people expect them to do, and that is help the very overtaxed, no pun intended, ICE employees who are out there trying to apprehend the criminals, the criminal illegal aliens.

In Florida, we were able to train 35 State and local law enforcement people under this program, under the 287(g) program. It is a good program, and, believe me, it is very much wanted by many local sheriffs, sheriffs who also get elected like we do and who get frustrated when ICE is unable to come to the jail with the frequency that they need to, who are frustrated because the citizens want illegals who have criminal records, they want them off the streets, off their lawns, and they want to once again be able to reclaim their communities, very often, from a lot of illegal activity.

The 13 jurisdictions that use the 287(g) program are very happy with it. We need to adequately fund it, and I commend my colleague from Virginia for introducing this amendment. It is a good amendment and one that I think the American people certainly would want to have well-funded because of its efficacy.

Again, I commend the gentlewoman. Mr. POE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in my other life, before coming to Congress, I spent 22 years on the criminal court bench in Houston, Texas, trying all kinds of criminals. During that experience, I learned a lot about the way the world really is.

It is unfortunate that, in the society we live in, the Immigration Service cannot protect the United States as far as interior enforcement goes. There aren't enough interior enforcement agents to track down people who are illegally in the system. When I say "in the system," I am talking about the criminal justice system.

What happens too often is a person is arrested for a crime. He is put in jail. The person is illegally in the United States, but nobody knows about that. They are sentenced to some term in jail or in prison. They get out, and they continue to stay in the United States illegally. That continues to be a problem, especially in big jurisdictions like Houston, Texas, where I am from.

They are committing more crimes, yes. The last three peace officers in the City of Houston that have been shot, Mr. Speaker, were all shot by people illegally in the United States. Two of those individuals had been arrested several times and yet kept being released. The problem breaks down in the local jails.

It needs to be clear that this program, the 287(g) program that is being funded and that we are asking more funds to be appropriated for, is voluntary. Cities are not required to participate.

Sanctuary cities, and we know what cities they are, that harbor illegals, they won't participate. They don't have to participate. But not all cities in the United States are sanctuary cities.

Some cities want to help clean up the crime problem in their neighborhoods. One way they can do it is to receive Federal funds, going to local law enforcement, who know best about policing and who the people are in the area and what criminals they are; to track those individuals illegally in the country and make sure they are legally deported back where they came from. We find that it works, and it works very well.

For example, in local jails, sheriffs use the 287(g) program to find out who foreign gang members are, like the MS-13 gang members. Once they are in custody, they can determine who those individuals are, that they are illegally in the United States, and, as soon as they are released from jail, which happens to all of them, rather than be released back on the streets of our cities, they will be deported back where they came from.

Now that doesn't seem to happen as much as it should. We have "catch and release" of illegals in our county jail system. Then we got to go catch them again and then try to have them deported after some crime is committed.

So I think it is wise to use the 750,000 local peace officers in the United States, those peace officers that want to participate in the 287(g) program, train them with Federal funds and allow them to police their own jails and their neighborhoods so that people who are convicted of criminal conduct,

that are illegally in the United States, once they are captured, we can deport them rather than continue to release them back on our streets.

So I want to commend the gentlewoman from Virginia for proposing this important amendment asking for more funds for local law enforcement to do their job. Obviously, the Federal Government cannot, has not done its job in protecting interior enforcement, and I think it is a wise use of money to allow local law enforcement to do so.

Mr. REICHERT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of this amendment to fully fund ICE's request of \$26.4 million for its 287(g) program. Let's just get down to sort of the cop's nitty gritty here.

Just 2½ years ago, I left the King County Sheriff's Office as the sheriff in Seattle, Washington, an 1,100-employee organization with a \$110 million budget. I started in 1972 as a 21-year-old police officer in a patrol car for about 5 years. I worked in the jail, and I worked as a property crimes detective, and for the most part of my career, I was a homicide investigator. I worked with all kinds of communities.

All the different diverse communities that we serve across this Nation exist in King County, Seattle, Washington. I understand the theory of the Community Oriented Policing program. We implemented that program in the King County Sheriff's Office. It is one of those programs that really comes natural to a police officer working on the streets in their patrol car. They want to connect with their community. They want to be friends with their community, as mentioned earlier by my colleague across the aisle.

Part of the Community Oriented Policing program is to make friends and engage in conversation and build relationships, but it is also our job as law enforcement officers, local law enforcement officers across this Nation, to enforce the law. Sometimes we make friends doing that. We save lives doing that. But sometimes we make enemies.

In the process of making friends and making enemies and protecting our neighborhoods, we also build partnerships with those communities, but we also build partnerships beyond that. We build partnerships with the Federal Government. We build partnerships with the FBI, with the U.S. Attorney's Office, with DEA, with ICE, with Border Patrol. I could go on and on and on with the Federal agencies that join in concert, in partnership, with local law enforcement every day.

In Federal task force organizations, like the Joint Analytical Centers, the Joint Terrorism Task Forces, the HIDTA, High Intensity Drug Trafficking Areas, the Violent Offenders Task Force, the VICAP Program, and I could go on and on and on with Federal agencies and Federal programs and Federal task forces that come together; it is about partnerships between local law enforcement and Fed-

eral law enforcement. And it is about training, joint training, with each of these agencies so that we can get our job done, that we can protect this country.

I understand that. I worked as a partner with the Federal agencies when I wore a police uniform on the street. I worked with as a partner with Federal agencies as I wore my suit and tie and my uniform as the sheriff for 8 years in King County. These partnerships are essential. They create a seamless web, a seamless web of sharing information across all spectrums of the Federal, local, State law enforcement.

There is no undermining of the local police department when partnerships are created with the Federal Government. It is an uplifting and exciting experience to work with all of these agencies and train together to finally learn what each one of us does and what we can bring to the table as a team as we protect our country.

So Homeland Security now, as a fairly new agency with 22 departments, is another one of those agencies that we have to work with, and ICE is one of those.

This training program creates an understanding. It helps police officers understand and respect civil liberties. It helps police officers understand and respect civil rights. It helps police officers at the local level in training with the Federal Government understand and respect the diverse communities that we serve. Why would we not want to have our local police officers participate in training that helps give us a broader understanding of the diverse community we serve?

It makes no sense to me to be against increasing this budget to what ICE has asked for. It makes no sense at all. If we are truly interested in civil liberty, civil rights and respecting each other's diversity, we would want this training.

Let's make a point clear: This is voluntary. This isn't mandated by the government. Every police department and Sheriff's office across the country can volunteer for this program.

So, Mr. Chairman, this is a great program. I commend the gentlewoman from Virginia for bringing this forward. I fully support this amendment, and encourage my colleagues on both sides of the aisle to vote in favor of it.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. Has the gentleman from Texas spoken on this amendment yet?

Mr. CARTER. No, I haven't.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I am very pleased that I follow my colleagues that have worked in law enforcement, for I, too, have worked in the court systems of criminal justice.

This 287(g) program to me is an exciting idea that has great potential, and I would love to see it expanded to where we have trained every law enforcement

officer in America in just the style that my colleague from Washington just described, so that they can not only honor the diversity as he described, but also can participate in enforcing the laws of the United States, where the resources required for interior enforcement of the immigration laws, the number is overwhelming. To me, it is a good use of resources to use good, honest law enforcement wherever it exists to enforce the laws of this land.

□ 1745

I thought about this the other night, because it's an experience that most everyone here probably, if they will confess, has had. If you live in Houston, Texas, where my colleague, Ms. JACKSON-LEE, lives, or pick a town, it doesn't really matter, Washington, D.C., Cincinnati, Ohio, and you get a parking ticket, if you fail to pay that parking ticket, you're probably going to get a notice from the department that takes care of parking tickets, and they're going to send you that notice and tell you that you have failed to appear to answer to this parking ticket.

They're going to stick a fine on there to go with the parking ticket fine. It could be \$100, it could be \$50, whatever the jurisdiction chooses, and then that letter is going to say, if you don't pay these two offenses, then we're going to issue a warrant for your arrest on a parking ticket.

Believe me, it happens every day. Ask my daughter, okay? Now, they probably aren't going to get out and serve that warrant unless they do some mass roundup, but generally they don't do that. But you're driving down the street, if you get that ticket in Houston, Texas, and you happen to be in Dallas with a broken taillight, and a police officer stops you to tell you he wants to give you a warning about your broken taillight and he runs the national system of warrants that's available across this Nation. Guess what he finds? They have a warrant for your arrest for a parking ticket in Houston, Texas, and he will arrest you; and he will put you in jail or hold you until you deal with that ticket.

Now, that's what happens to every American citizen that follows the scenario that I just gave you, or could happen to them.

Now, 18 months ago, when I was meeting with ICE people, I asked them how many absconders we had from these folks that were catch-and-release that had been ordered to court and had failed to appear on the ICE warrants. I found the number was approximately 700,000 people. It's probably more now, because I'm talking about 18 months ago; that's the number they gave to me.

And I asked the ICE agents, are there warrants issued for their arrests? Are they in the system? And will local law enforcement respect those warrants? And I couldn't get an answer. I was privately told, "No."

Now, this program, with trained officers out on the street, at least we could pick up violators of the Federal law who had disrespected the court system created by this Federal law and had failed to appear in that court. At least we could pick them up in the manner we pick up people who get a parking ticket.

We have to be inventive in this problem that we are facing with massive violation of the law in the immigration system. And I think the 287(g) is the core, so that we train to find these people in prison. There were times when we were at the jail commission trying to close our county jail for overcrowdedness that the district judges would review it every Friday evening, and we would find that 30 percent of the inmates in our jail would be illegal aliens. Thirty percent. And sometimes higher.

Let's have trained people. Let's support this amendment. Let's have trained people and let the departments that want to participate put trained people on the street to deal with ICE issues.

Mr. CAMPBELL of California. Mr. Chairman, I move to strike the last word.

I've been listening to the debate on this particular amendment, and I've heard a number of people who are opposed to it speak, I suppose, about their theories, about how this won't work or why it may not be effective or what it may do or affect people in a community or whatever.

I am here, Mr. Chairman, not to talk about theories or not to talk about speculation, but to talk about what this particular program has done, in fact, in Orange County, California. My congressional district is entirely encompassed within the County of Orange in California. There are five other Members of this body whose congressional districts are either entirely within Orange County, California, or partially within Orange County, California, and two jurisdictions within that county, both the Orange County sheriff's department and the police at the city of Costa Mesa, California, have been engaged in this program.

I would like to read from a press release that was issued from the Office of Sheriff-Coroner Mike Carona. This press release was issued just last month relative to the effectiveness of the program that is the subject of the lady from Virginia's amendment.

It says, "Since the inception of Orange County Sheriff Michael Carona's cross-designation program in January 2007, deputies have increased the number of immigration holds by more than 400 percent, from approximately 350 to over 1,600. Of this amount, more than 1,000 of the undocumented individuals who were booked into Orange County jail were charged with felony law violations, and over 100 were known gang members."

Now, Mr. Chairman, this is fact, that since the Orange County sheriff's de-

partment participated in this program and had its deputies trained on how to enforce our illegal immigration laws, they have taken off the street 1,600 illegal aliens, 1,000 of whom were felons. So because of this program, there are 1,000 fewer illegal immigrant felons walking the streets in Orange County, California.

That is not theory. That is not conjecture. That is actually fact.

Also, in the city of Costa Mesa, which I do not represent, but is represented by Congressman ROHR-ABACHER, but it's adjacent to my district, they've recently trained their officers in enforcing immigration laws, and between March and May of 2007, they identified and placed containers on 146 illegal immigrants in the city jail, and of this amount, 53 had committed felonies.

Now, this is in addition to the 1,000 felons that I talked about before, because it's a separate jurisdiction, a separate city police force dealing with their jurisdiction within the County of Orange.

So, Mr. Chairman, this program is effective, and I know some people who are opposed to this amendment have said that somehow it's going to disrupt community relations or something like that. I can tell you that the Orange County sheriff's office has been very, very involved in the community generally, broadly in Orange County, both in ethnic communities and in regular communities, and very involved in stopping drugs.

Because what a lot of people are interested in, particularly in some lower-income communities, is getting the drug dealers and getting the problems that drugs create out of their community. That's what they're interested in. They're not necessarily interested in protecting felons or in making sure that somehow when we have illegal alien felons that we handicap or restrict the ability of local law enforcement to find those people, identify them and bring them to justice and eventually out of this country.

So, Mr. Chairman, I support the amendment from the lady from Virginia, and I support it on the basis of actual, real experience that has happened in my county; and, that we know of, well over 1,000 felons who are no longer on the street.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have been down this road before in this discussion, and it's easily something that the other party wants to do in spite of the fact that their local governments tell them they don't want this done. I think the public and all Members really need to understand what this is about. This is about the fact that there are people in this country who are undocumented. That's a fact. How do you remove them out of the country is another issue.

What happens while they're living in this country is the issue at hand. Now, throughout the discussion on immigra-

tion, we've had questions like, if a person is here, undocumented, and they have a child, do you say to that child, you can't go to a public school because your parents are here undocumented?

Well, if you think they're leaving tomorrow or next year, that might work. But if you think that eventually whatever plan we come up with allows X number of children to stay in the country, then you can't deny them education because you're just creating a generation of Americans who won't get education.

Then you move on to step two. At times, we have said that if a person is here undocumented, they should not get any kind of emergency medical care. Well, besides the humaneness of that, that we should never deny medical care to anyone, there is the issue of, so do you want the person working at a local hamburger place serving you food while they are ill and not able to treat their disease and the germs they may spread around. That is an issue.

This one is really a classic one. This is where you say to your local police department, we want you to enforce immigration law. And just about a unanimous cry throughout the Nation has been from police departments saying, Don't give us that responsibility. We don't want it. We don't need it.

The reason they don't want it and they don't need it is for a very proper crime-fighting purpose. A local police department, a local law enforcement department, makes contacts in the community, finds out who's committing crime in the community by talking to folks. Traditionally, undocumented folks have known and have felt secure in that they can tell a police officer that a crime has been committed and point a finger at the person who's committed the crime, knowing very well that their conversation is about crime and not about documentation or about their status as a citizen or a non-citizen, an illegal or undocumented person within the country.

That is the reason why just about every police department in the Nation, sheriff's, whatever they are called in different communities, have said, don't give us that responsibility; we don't want it because we want to keep this relationship going with this community, knowing well that we can get information out of them.

And they are not dealing with us on an immigration law issue. That's why we have ICE. That's why we have all other people in the country that enforce immigration law.

But now we bring it, since September 11, to a new point, and that is, what if in the gathering of information that could lead to the prevention of a terrorist attack, you can't get information from some folks because they're afraid that while speaking to you, their immigration issue comes to light rather than their information on the fact that there could be a terrorist plot being planned somewhere.

This is a classic case of the old line throwing the baby out with the bath

water. Yes, there is an immigration issue, and we are trying to deal with it, all of us. And, yes, I know that there are some people that are very upset about the fact that there are people here who are not legally in the country.

□ 1800

But now to go and say that you're the party for law and order, Mr. Chairman, and at the same time say, but we want to tie the hands of our local law enforcement in gathering information, is a terrible mistake.

You will continue to do what you want. Eventually more and more police departments will tell you that they don't want this job; they don't want this responsibility. And somehow we will continue to get it wrong. Don't tie the hands of our law enforcement folks. Let them continue to gather the information they need.

Mrs. MYRICK. Mr. Chairman, I move to strike the last word.

I appreciate the comments of the gentleman from New York, but we solved that problem in my community of Charlotte, North Carolina. We have a police department that has relationships with the people in their community, and they go out and deal with them; and the sheriff is handling our 287(g) program. We have one of the most successful ones in the country, and it is very simple. The misconception is out there of what the 287(g) program is really about. It is about people who have committed some kind of a crime, just like you and me, who are booked into the jail, and that is why it is perfect for the sheriff to handle it, because then they are booked into the jail, then the sheriff has the ability to check the national database and see if that person has any violations anywhere, anywhere else in the country. That is the beauty of the program.

We started it in our city. Our sheriff, Jim Pendergraft, has very successfully found ways to grow this program. And in the first few months, actually, we had over a thousand people who were removed and deported that were criminals on the street. It is working very well.

Again, I go back to the fact, and I thank the gentlelady from Virginia for this amendment because it is crucial we have these all over the country.

The Senate bill said there were only 50 programs going to be authorized. We have 3,200 jails in the country. That doesn't cut it. ICE can't do it all. They literally can't, and local law enforcement is in a perfect position to be able to help.

Since we started it in Mecklenburg County, all of the counties around us are also doing the same program because they have found that people are moving into their county to avoid being caught in Mecklenburg. So we have our surrounding districts who are applying, have applied or are now doing the 287(g) program in addition to Mecklenburg. It really works. It is a good

program, and I totally support the efforts to see this come to fruition as an amendment.

Mr. AKIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would yield to the gentlewoman from Virginia (Mrs. DRAKE).

Mrs. DRAKE. Mr. Chairman, I would just like to point out that the reason I chose this funding, the Office of the Secretary of Management, is because in researching this, I realized there was an \$89 million increase between 2007 and 2008 funding. That is a 60 percent increase. I think it is important that money be spent in our communities.

I would also like to point out that I did research the \$50 million that was referenced in the report, and that report isn't very accurate because by the end of this month, there will be roughly \$1 million left in that account, not \$50 million. In 2006, \$5 million was appropriated for operating expenses. In 2007, it was \$5.4 million; and then there was the \$50 million appropriated for start-up costs. But by the end of this month, those will have been almost spent.

With the hard work of people like Sheriff Pendergraft in North Carolina and our other sheriffs across the Nation, the public is aware of the services, the resources, the technology and the training, that can be provided through this program.

Unfortunately for us in Virginia Beach, all of America heard of the very, very tragic accident that took the lives of two beautiful young women at the hands of an illegal alien DUI driver who had been apprehended in our community at least three times and was still back out on the street.

This is a voluntary program, but citizens in our State are asking: How can you break our law, be in our justice system and be right back out on the streets again? This is a program that deals with people who have been apprehended and not victims or witnesses.

There are also State-level programs. With our DMV, I think every one of us would want to know that our DMVs can find fraudulent documents because of these resources that are available.

And in regards to our correctional systems, for local governments to be telling ICE right in the very beginning, ICE can have all of the paperwork done and be ready when that person is released for that person to be deported, just like that, no additional cost of detainment.

Mr. Chairman, I want to thank my friends today who have spoken on behalf of this amendment, and I certainly appreciate the chairman of the subcommittee saying he is willing to accept this amendment. I think all of America thanks you.

Mr. AKIN. Mr. Chairman, I yield to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Chairman, I wanted to compliment the gentlewoman for being an aggressive lead-

er on this subject. She is very knowledgeable on the subject and has done a great deal of work in backgrounding on the amendment she has brought forward. She is doing a great service to the country in this effort. I want to compliment and thank the gentlelady for a great job.

Mr. PENCE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment, but I come to the floor today having responded to the gentlelady from Florida, a distinguished colleague in the Democrat majority, who asked I think a very poignant question on the floor within the last hour, and that was: Where are the reformers?

I must admit, Mr. Chairman, I didn't get the whole gist and the whole context of her question, but it seemed to me that could be a headline. That could be the lead of an editorial. It really represents the question in which much of the exercise in which we are now involved could be summarized.

The chairman of this committee I think has earned throughout his career the label of reformer. I give Chairman OBEY that with great respect, not just as a colleague but as a man who has earned that reputation.

But today, as someone who over the last 6 years in this Congress has engaged in fights almost exclusively with my own colleagues on the Republican side, to achieve the beginnings of earmark reform, I ask: Where are the reformers?

And let me specifically say to my Democrat colleagues who share my passion for transparency and accountability, I ask the question: Where are the reformers?

In the last 3 years, and there are colleagues in this room whom I consider not just friends but good friends with whom I have clashed. The ranking member of this subcommittee, we have been on this floor together, Republican on Republican, using, in some cases, the same tactics that we are using today, but we were not training them on the majority. We were training them on our own. We were training these tactics on our own Republican colleagues. That is how passionately we felt for the need for point of order protection in conference reports and for fundamental earmark reform. It would be Members of the Republican Study Committee that virtually singularly took on, not Democrats in the minority, we took on Republicans in the majority. And it was painful among our friends to do it, but we withheld our support for the majority budget. We negotiated fairly but firmly with our own colleagues and friends to achieve the beginnings of earmark reform, requiring that people add their names to earmarks, requiring that earmarks be included in legislation, that they be subject to challenge on the floor of this Congress. These were modest gains, and clearly, the result of election day on November 2006, they

were too little, too late. Our clock ran out on this side of the aisle.

But we were fighting on this side amongst ourselves and making halting progress toward earmark reform. That is why, as I watched this debate and as I participate in it, I will be here, as we say in Indiana, until the cows come home. I ask with a sincere heart: Where are the reformers in the majority? Where are the reformers who will come down into this well, and I see some up there that wear that label and deserve it, but on this issue, where are the reformers who are willing to come into this well and say, how about "no"? How about we don't bring appropriation bills to the floor without all of the spending items in the bill, including Member projects and earmarks, so they can be subject to the accountability and the scrubbing of the legislative process?

I know it is inconvenient. I do not question for one second the sincerity of the chairman of this committee, that he is trying and laboring to find a way forward to achieve his goals. But at the end of the day, we cannot set aside the accountability of the legislative process. I ask again: Where are the reformers?

Mr. FARR. Mr. Chairman, will the gentleman yield?

Mr. PENCE. I yield to the gentleman from California.

Mr. FARR. I thank the gentleman for yielding.

I have been in elected office, local, State and Federal, for 34 years, and I cannot imagine how any of your community got built without earmarks at the local level, the State level and the Federal level.

There are also earmarks in the bill the President sends down. I think you have misstated the whole symbol of earmarks. The reform in here is more severe than any local, State or Federal office has ever had in the history of the United States.

Mr. PENCE. Reclaiming my time, the distinguished gentleman should know that I have supported earmark reform, not banning earmarks, but we can't have earmarks that deny the legislative process here on the floor. Where are the reformers?

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I had not intended to speak, and I certainly am not directing my comments to the gentleman who just spoke, but I do want to make a few comments about the issue of so-called earmarks.

For the last 2 days, Member after Member in this institution have traipsed to the well or stood at the committee table and misdescribed and mischaracterized my proposals and the proposals that several other Democrats have made to reform the earmarking process.

I would simply say, I would have been greatly, if I had had any regard at all for those who were making those statements, I would have been upset.

Let me simply say there are many Members—well, that is not true. There are some Members who have embarrassed this institution by the carelessness of their earmarks who came to the well and sounded off as so-called champions of reform.

There are Members who have come up to me and chastised me because I was insisting on a 50 percent reduction on earmarks; who have sent me letters asking for earmark after earmark after earmark. And there are a great many Members of this body who are not members of the Appropriations Committee who seem to have a memory lapse and forget that the bridge to nowhere, and most of the actions by Mr. Cunningham had nothing to do with the appropriations process; they occurred on legislation out of other committees.

I want to make clear, I hate the earmarking process. I absolutely detest it, not because earmarks are wrong, I think 90 percent of the earmarks attached by Members of both parties are perfectly legitimate, and they are a whole lot more on target than the misdirected spending of some of our bureaucrats and the misdirected analysis of OMB, and I know that from personal experience.

The reason I hate earmarks is because they suck everybody in. They suck them into the idea that we have to be ATM machines for our districts, and so they focus on the tiny portion of most bills that are earmarks instead of focusing on the policy that is represented by the legislation that we produce.

□ 1815

It's a whole lot more important to know whether we have adequately funded education or whether we have funded the right programs in education and refused to add funding to some of the worst programs in education than it is to know whether a Member got a \$200,000 earmark for an after-school center.

I want the public to know all of that. Every earmark I've ever gotten I believe I've put out a press release and talked as loud as I could and tried to get as much attention to it as I could, because I believed in it.

But what I don't believe in is people who walk both sides of the street. I could tell you what they call them in my hometown. The letter begins with W, and I just want to say that I'm going to be very interested in seeing which Members ask for earmarks and which don't, and I'm going to be very interested in seeing which Members vote for the amendment that I intend to attach to every appropriation bill, which would call for a total elimination on earmarks. I want to see how many of you actually vote for it. I want to see how many of you do not give hypocrisy a bad name.

I thank the House for its attention.

Mr. KING of Iowa. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the timing of this discussion, I really asked to be recognized to address the Drake amendment, but as I listened to the chairman of the Appropriations Committee, I think there are some things that we need to take up and add to this particular discussion that he's opened up.

And that is, what do we do about this conundrum of earmarks? First of all, we do have too many earmarks, and I've not been one that's said that that solves our spending problem here, but I think it puts bait out there for people to do things that, first of all, if the bloggers could see the things that are going on, they would weigh in on us, and perhaps that would be some of the regulatory function that the bloggers could perform.

But a couple of nights ago, I sat down and went through two appropriations bills. One of them was the omnibus spending bill for 2005, 1,600 pages; another appropriation bill, 400 pages; all together, 2,000 pages. And I didn't read it all, wouldn't have been possible, but I leafed through that appropriations bill, and I find in there earmarks that wouldn't be identified as earmarks. I find in there language that says this funding shall go to this company as funded in previous years.

And my recommendation to the chairman of the Appropriations Committee, who hopefully would hear what I would have to say, that being a bill I introduced last year called the CUT Act, "cut unnecessary tab," as in a bar tab, unnecessary spending. But what it does is it solves the problem that's been identified here and, to some degree, described by the chairman of the Appropriations Committee and articulately addressed by Mr. PENCE and others here on this floor.

It puts us all up to public scrutiny. Sunlight is the antidote, and we ought to have enough pride in every earmark that we ask for that we would allow the public to see what we're doing with our spending.

And when I look through an appropriations bill, 2,000 pages of them, and I see that even if you knew what you were looking for, you couldn't identify that earmark, you couldn't identify the amount. You might identify the company that it goes to, but unless you had an in with the committee staff and you could trace back through that paperwork, and no one outside this Chamber that I know of can do that without favors by a Member, and a lot of Members couldn't walk in there and get that information, including myself. We need to set this all up for the public scrutiny.

So I spent a couple of years working through my proposal, and I'll hopefully be able to introduce the language again so it's here and goes into this discussion. But the CUT Act makes in order a bill to come to the floor once a quarter that is a rescissions bill and a rescissions bill only. It might just be a blank title offered by the majority leader or the minority leader on the

other side, but every Member could bring an amendment down to that.

And it takes this idea that once you go to the conference report and you offer it to the House and the Senate, up-or-down vote, no amendments, no one can know what's in there and no one can read it all, no one can analyze it if they can read it all, but if we put that all up and post it up on the Internet and let the world look at what we're doing and then bring a bill to the floor that's a rescissions bill and let any Member bring an amendment to strike something like the reference was to the "bridge to nowhere," put that up on an up-or-down vote and accumulate that list of rescissions. Then, in the end, we've got an appropriations process that everyone in this Chamber, no one will have an excuse to say I couldn't find that amendment; I couldn't find that language; I couldn't take it out; it wasn't my responsibility. We all become collectively responsible for every dollar spent by this Congress, and if we do that, we truly have sunlight and we truly have a full responsibility. And that's the step that we need to take.

The rest is rhetoric. The rest is hiding behind one side of political argument or the other, but if we're willing to put our earmarks up for an up-or-down vote and let this Congress go on record for any line item, then we truly have the sunlight on this that we've asked for; and I'd ask that consideration from the chairman of the Appropriations Committee.

The people that want to stand up for reform, here it is, the CUT Act.

And then in the moments I have left, I would add that I stand in support of the Drake amendment. And I grew up in a law enforcement family. You cannot enforce laws effectively if you're going to have local government or State law enforcement that decides that they can't engage in enforcing Federal law or vice versa. This has got to be a kind of working, compatible relationship so that the city police, county sheriffs, highway patrolmen and Federal officers all work in a collaborative arrangement. And we need to have the resources to train those local officers.

When we have people on the streets that are picked up two, three, four, five or six times for a traffic violation or an insurance violation, or in an accident or a minor misdemeanor, and they're released back into society and then someone is killed or someone is raped or someone is robbed from, the price to this economy and this society is horrible and horrendous.

And we can't get government to tell us what those numbers are, but I commissioned a GAO study here that was released in April of 2005 that produced those numbers, and I'll bring those numbers back to this floor.

Mr. HARE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I'm a new Member of this institution. I sat here last night,

along with a lot of Members of this body; and on my way, walking to my apartment, I was walking with another freshman Member, and we were talking about what did we just do.

It was what we didn't do. We listened to procedure after procedure, stall after stall, finger-pointing after finger-pointing; and here we were talking about, I thought, an appropriation for something that is incredibly important to this entire Nation. Our national security is at stake.

I'm going to say something also as a new Member. I will comment on the bill in a moment.

I want to commend the chairman of the Appropriations Committee. Quite frankly, he has a much longer fuse than I have. So much finger-pointing going on. I know how much work that he and Representative PRICE and other people have put into these bills.

I'm not an appropriator. I'm a clothing worker, but I'm a freshman Member of this body, and I know finger-pointing when I see it. I know coming to the floor and getting your picture on TV and making sure the cameras hear every word that you say, but I also know the difference between right and wrong. And I will tell you this, Mr. Chairman, last night this was absolutely one of the worst dog-and-pony shows I've seen, and hopefully we will never have to revisit this again.

To the chairman of the Appropriations Committee, let me say, I understand how much work went into this, and to the appropriators, how many hearings went on. I heard about the 3½-month delay that we were blamed about, but the very same chairman of the Appropriations Committee was verbally blasted in this Chamber because he had the unmitigated gall to try to put things in that would give hurricane relief to people affected on the gulf coast, give an opportunity for people to be able to have better lives, a farm disaster, wildfires that we don't have any money for to put out.

How quick we can be to criticize. It's easy, very easy to do.

I'm here tonight to say to this chairman of the committee and to the appropriators, I thank you for the hard work that you have done. We'll get these passed. We have agreed to a rule that opened this Chamber up to allow people to be able to do it, to be able to offer amendments and to come to the floor. I didn't think we offered it so that we could just have a 2 o'clock in the morning marathon, but I was elected to do the work of the people of the 17th Congressional District.

This bill fulfills the commitment to the 9/11 Commission's recommendations. How many years have we been waiting for that, Mr. Chairman?

It provides significant increased support to our first responders, to Customs and border agents and the Transportation and Security Administration. It appropriates \$44 million above 2007 to infrastructure protection so communities can identify and assess critical

security vulnerabilities. It funds disaster relief to the tune of \$1.7 billion so our State and local governments can respond to declared disasters or emergencies.

My congressional district runs almost from the Wisconsin border to St. Louis. I've seen what floods can do to my district. I see what it could do to our farmers and how it can displace people. This bill provides \$230 million to modernize and digitize over 100,000 flood maps used to determine rates for the National Flood Insurance program.

And the bill assures the consistent application of Davis-Bacon prevailing wage standards to construction projects funded with Federal grants. By guaranteeing payments of the prevailing local wage rate, this legislation facilitates a better standard of living and economic security for workers, particularly in rural communities and small towns in my district.

I want to close, Mr. Chairman, by again thanking the chairman of the Appropriations Committee. I thank my friend Congressman PRICE for the hard work that he's put in. As I said, these bills will pass, and we will let the people of our district and the people of this Nation be the ones to decide which one of us, which Member of this body, really came here to do the work of the people. I did and so did many, many of my colleagues in this Chamber. But I will tell you what I won't do: I will not go back to my congressional district and apologize for putting in for projects.

The Acting CHAIRMAN. The time of the gentleman from Illinois (Mr. HARE) has expired.

(By unanimous consent, Mr. HARE was allowed to proceed for 1 additional minute.)

Mr. HARE. Mr. Chairman, I'm not going to apologize for trying to keep my arsenal, the 7,500 jobs there that produce armor to keep our troops safe in Iraq. I'm not apologizing for trying to save the community of Galesburg that lost a plant because of unfair trade policies to Sonora, Mexico. I don't apologize for writing things and asking for money. It's the taxpayers' money.

I don't apologize for anything I came here to work on. I will continue to work. But let me tell you, I'm not going to go through another night like I had last night. I'm going to be very vocal, and I'm going to stand up and I'm going to defend the people of this district.

I'm going to defend our leadership because I don't think they need defense, but I think they need to know there are a lot of us that really believe in what they have been doing.

Mr. FLAKE. Mr. Chairman, I move to strike the last word.

I have great respect for the chairman of the Appropriations Committee, and I heard what he said about the position he's in. I don't envy being in that position, to try to wade through 30,000-some earmark requests. As he mentioned, there are some within that

number that will embarrass this institution and embarrass the Members, I have no doubt of that; and I think that's part of the reason that those have not been made public. I think that is the reason that they are kept with the committee.

But we are in a situation now where this well has been poisoned. If we go ahead and go through with the proposal that we simply in August list the earmarks that are being put into the bill, that are going to be airdropped into the bill later, without the ability to challenge them individually, there will surely be accusations, founded or unfounded, that people are being targeted for their opposition to earmarks, to speaking out on the floor, for speaking about them, against them or for them, or people will be favored or not. That's the nature of the game. That's the nature of the political process.

So I think it will be virtually impossible to go through that kind of atmosphere without the process being tainted even further.

I believe the chairman when he says that he hates earmarks. I think if it were up to him, he would get rid of them, and I would certainly support him. I don't think that the Democratic Caucus would allow that to happen because I fear that they believe, as we did as Republicans, that that's the surest path to reelection, that you protect vulnerable Members by giving them earmarks, that you spread it around in ways that you can curry favor with your constituents and your voters.

□ 1830

I think that is a road that leads directly back to the minority, but I wouldn't propose to give advice in that regard. I think that's part of the reason we are where we are today.

But all I know is that, when we have a situation, there is no perfect solution, certainly. We are in a fix now. But a situation where you have a choice of actually putting earmarks in bills with information about who has requested that earmark, what entity that earmark goes to, or balance that against a process where you simply can write a letter to the committee and ask about specific earmarks, I think that we as Members should demand the latter.

I, for one, am not willing to trade in this voting card. This is a card that we all get when we are elected that we use multiple times a day on this House floor. It allows us to register our support or opposition for specific legislation.

I am not willing to give this up for the ability to write a letter to the chairman of the committee or anyone else in Congress. That's a bad trade. I don't think that's a trade that anybody should be happy with.

I am intrigued by the chairman's proposal to offer an amendment on each appropriation bill to strike earmarks.

I would be most pleased if the gentleman would be glad to yield time if

he would explain that amendment there is to offer. I will support it. I will gladly support it. So I would love to learn more about it. Perhaps we can jointly sponsor it.

But until then, until then, I think the country deserves to know what's in the bills when we vote on them. We aren't well served with the process, however intended, a process that keeps earmarks secret until a time that it is too late to actually challenge that earmark on the House floor.

So I think that this is a fight that is worth fighting, and I am glad that my colleagues have taken it up.

I support the amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the Chair for this opportunity to explain my amendment to H.R. 2638, the "Homeland Security Appropriations Act for Fiscal Year of 2008." My amendment would provide an additional \$5 million to FEMA, to support emergency preparedness efforts for vulnerable communities, including racial and ethnic minorities, persons with disabilities, the elderly, and the economically disadvantaged.

My amendment is very simple, but it is extremely necessary. In my own district in Houston, and in communities throughout America, minority, elderly, disabled, and impoverished populations have not been adequately prepared for the upcoming hurricane season. Special efforts must be made to engage these most vulnerable members of our communities in vitally necessary emergency preparedness education, training, and awareness.

I am particularly dismayed that these vulnerable populations have not been targeted by outreach efforts communicating the need to prepare for a major hurricane. Hurricanes Katrina and Rita struck some of America's most vulnerable and disadvantaged communities, communities which are just now beginning to find their feet again after these devastating storms. National, state, and local governments have not fulfilled their responsibility to ensure that they are not, once again, left to face nature's wrath alone.

We saw the utter failure of government response 2 years ago, when Hurricane Katrina struck our shores. One Katrina survivor, a resident of New Orleans named Charmaine Neville, told her story in an interview following Hurricane Katrina. Ms. Neville described having no way to evacuate the city before the storm hit, and her feelings of abandonment by the authorities. She discussed her personal efforts, and those of other volunteers, to rescue stranded and vulnerable individuals "from the hospices, from the hospitals and from the old-folks homes."

Ms. Neville's testimony is shocking, even 2 years later. She states, "I tried to get the police to help us, but I realized they were in the same straits we were," and tells the story of her personal rescue of 2 elderly women in wheelchairs. Ms. Neville recalls, "When we finally did get into the 9th ward, and not just in my neighborhood, but in other neighborhoods in the 9th ward, there were a lot of people still trapped down there . . . old people, young people, babies, pregnant women." She told the interviewer, "What I want people to understand is that, if we hadn't been left down there like the animals that they were treating us like, all of those things wouldn't have happened. When they gave the evacuation order, if we could've left, we would have left."

Another Hurricane Katrina survivor described the situation at a local hospital, where his wife was employed as a nurse, in the days following the storm. "You can imagine a hospital with 2,000 people and no electricity, water, food, or flushing toilets. Breathing machines did not work. Cell phones did not work. Because the computers stopped working, medicines were unavailable. Elevators in the 8 floor building did not work. We quickly ran out of food because the cafeteria and food were also in the flooded basement. The gains of 21st century medicine disappeared. Over 40 people died in the hospital over the next few days as we waited for help."

He went on to talk about the evacuation, stating, "The Katrina evacuation was totally self-help. If you had the resources, a car, money and a place to go, you left. The poor, especially those without cars, were left behind. The sick were left behind. The elderly were left behind. Untold numbers of other disabled people and their caretakers were also left behind. Children were left behind. Prisoners were left behind."

I believe in an America in which no one is left behind. I believe in an America where these vulnerable sectors of the population are targeted by education, training, and awareness programs; an America in which they receive the tools and resources that they need to survive the next disaster. And I believe that, thus far, federal, state, and local governments have failed to provide this.

In light of this lack of adequate response, dedicated community activists, like Mr. Charles X. White of Houston, have stepped forward to fill this void. Mr. White and his organization, Charity Productions, are working tirelessly to provide much-needed resources for the elderly, disabled, impoverished, and minority communities of Houston. Community projects, like Mr. White's, that reach vulnerable members of our population are particularly crucial in light of predictions of a devastating hurricane season this year.

I saw firsthand the plight of vulnerable populations after Hurricane Rita. During the hurricane, I fielded calls at Houston's Emergency Operations Center in order to facilitate obtaining assistance for elderly and disabled residents. I believe it is unconscionable to, despite the knowledge and experience we have gained in the past 2 years, allow this to happen again.

A major component of hurricane preparedness must be an evacuation plan. In New Orleans, residents were divided between those who had cars and could easily escape, and those who did not. Nationally, African Americans and Latinos comprise about 54 percent of those reliant of public transportation. Blacks are 6 times more likely than whites to travel via public transit.

Since Katrina, cities like New Orleans have made some attempt to address evacuation deficiencies. According to reports, New Orleans has developed a system of bus evacuation; however, managers of the program have released few details about accommodations for those individuals with limited mobility. Matthew Kallmyer, New Orleans' deputy emergency preparedness director, has been quoted as saying, "Those people need to go ahead and try to make their own plan, of course. At the end of the day, you know you are someone who has a disability. Try to go ahead and find the means to get yourself out or get yourself to one of the evacuation points."

We have an obligation to provide the American people with a disaster response system that works. We must not allow the lessons of Hurricanes Katrina and Rita to fall on deaf ears. My amendment seeks to fund the groups and programs that target vulnerable communities, to ensure that, when the next hurricane hits, these groups may be adequately prepared.

I look forward to working with the Appropriations Committee, and Chairman OBEY and Chairman PRICE, to ensure language in the Conference Report for H.R. 2638, the Department of Homeland Security Appropriations Act of 2008, which provides funds to FEMA for hurricane preparedness outreach to vulnerable communities.

Mr. OBEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. TAUSCHER) having assumed the chair, Mr. WEINER, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2638) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. HARE). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

VICTIMS OF COMMUNISM MEMORIAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. McCOTTER) is recognized for 5 minutes.

Mr. McCOTTER. Mr. Speaker, yesterday was the unveiling of the dedication of the Victims of Communism Memorial here in Washington D.C. It is a replica statue of Lady Liberty, the Lady Liberty that inspired the Chinese students and their fellow people in Tiananmen Square.

It was this period of time in which there was great hope within the Chinese people that their desire to breathe free would finally be realized. Yet that hope, that inalienable right, which we all as human beings share, was crushed beneath the tyrant yoke of the Chinese communist party.

Yesterday, at the dedication of that memorial, to not only those students and those Chinese people, yesterday at that dedication, which commemorated all the tens of millions who have died beneath the inhuman atheistic ideology of communism, the President of the United States made his remarks.

I wish to say that I have an enormous amount of respect for the President. He has been a steadfast leader, and I believe he is a good man, but I am saddened by the fact that he missed the opportunity, not to simply and nobly and necessarily commemorate the victims of communism and the triumph of liberty in parts of the world over that invidious ideology, but he missed the opportunity to issue a clarion call for the American people and all free peoples in our world to summon the courage to call for the end of communist regimes that still exist in our midst, Communist regimes from North Korea, to Cuba and, obviously, to Communist China.

For it is easy for people to believe that we had reached the end of history, to view communism as an ideology that is no longer a threat to our freedoms, our way of life and to the way of life to all people, yet it is.

When the Cold War ended, we had won the European theater of the battle between freedom and communism, and, yet, hundreds of millions across the globe remained enslaved. It is too little to say to them, good luck finding your freedom. If, we as a free people, are a beacon of hope to all humanity, we must also accept the responsibility that we bear to do everything within our power to ensure that our fellow people have the opportunity to enjoy their freedom, for they are equally God's children, as are we.

So I would suggest to the President of the United States that he recall that the struggle, what John F. Kennedy called the bitter twilight struggle between freedom and communism is not over. It is not time for a victory lap. It is time for a rededication of ourselves as a free people of a Nation conceived in liberty to continue our historic and our moral mission to emancipate all humanity from this insidious ideology.

For we are a revolutionary country by birth, and we must remain a revolutionary country in present. If we fail that mission we lose part of ourselves, not only our legacy but the legacy we must leave to our children and to all humanity.

In conclusion, I would urge the President of the United States to realize that the victory over communism is not complete and that we as Americans must continue to be champions of human freedom in our world.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SESTAK) is recognized for 5 minutes.

(Mr. SESTAK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

(Mr. SOUDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

(Mr. GINGREY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the majority leader.

Mr. MEEK of Florida. Mr. Speaker, it's an honor to come before the House, and we know that we have been working very hard over the last couple of days in trying to move these appropriation bills. I hope that we are successful and on schedule in moving these bills, because the American people deserve it.

Also, as you know, when the 30-Something Working Group comes to the floor, we share the latest numbers out of Iraq. Unfortunately, they have gotten greater than they were before as it relates to casualties. Total deaths in Iraq at this time stands, as of 10:00 a.m. on the 7th of June, 3,490; and wounded in action and returned to duty, 14,208; and wounded in action and not returned to duty, 11,622.

I think it's also important to know that when we moved the emergency

supplemental act or bill, those two amendments did the following, one, provided those that are in harm's way with the necessary MWRAP vehicles that they needed for protection against IEDs, which is one of the main reasons why we lose men and women in Iraq.

It also set forth the benchmarks that we know that there will be two reports by September that will come before this Congress and that the dollars that are only troop essential, only for troops and not for the actual mission, will be taken under serious consideration.

I say, Mr. Speaker, that it's important that we have a bipartisan approach as it relates to looking at these two reports that will be given to us.

The only way we're able to find our way out of Iraq any time in the very near future is through a bipartisan spirit. I think it's important that we talk about this from a leadership standpoint.

To get out of Iraq and do the things that we need to do to meet the needs of this country, it's going to take courage; it's going to take leadership. I am not just talking about the elected leadership in this House on the Republican side or on the Democratic side, I am talking about leadership on behalf of the Members of this Congress in a bipartisan way from east to west, from south to north.

□ 1845

We have accomplished bipartisanship in the past on major issues that have come before this Congress. And many times I speak of the fact that it was the Democratic leadership that brought these issues to the floor, and we knew all along that a number of our Republican colleagues wanted to vote on these issues. But, now, in the 110th Congress we've provided an opportunity for them to do so. This is not a follow or lead kind of situation when it comes down to the safety of those that are in harm's way.

And I just wanted to also mention, not only the benchmarks, not only the reports and the debate that's going to be coming up on this floor between now and September, but also what took place in that other amendment, the full funding for the gulf coast area as it relates to Louisiana, Mississippi, even Texas, Katrina, Wilma, and Rita, funding that has been clogged up in this process for a very long time.

But I want to thank those that were very courageous in hanging in there and making sure in the bipartisan way that we passed that legislation to help those Americans that count on us to stand up on behalf of their needs as a country.

Also, I think it's important that within that legislation, that emergency supplemental that passed through, off this floor, in a bipartisan way, waived the 10 percent Stafford Act, which I recently heard my good colleague and my friend, the majority whip speak in a very eloquent way about this recently, Mr. CLYBURN.

9/11, the 10 percent requirement local match for Federal dollars in the Stafford Act, that's when Federal dollars are given to locals after a disaster, that the 10 percent match was waived. New York did not have to carry out that match. Even my very own community in south Florida, when Hurricane Andrew hit, that 10 percent was waived. And a number of other natural disasters, in California, one earthquake was 10 percent, was waived.

But until we had the strong leadership here in this Congress to even bring this issue to the forefront, because the administration did not want to deal with this issue, that it was brought to the floor to waive the funding for the people of New Orleans and the people of the gulf coast and all of the small parishes and cities in between. I think that came to some sort of number of 3.6-something billion, somewhere in that neighborhood, and that match alone saved the City of New Orleans, a little bit under a billion dollars with the 10 percent on that number.

I think it's important to understand that when we work in a bipartisan way, we can get things accomplished.

Now, could that have passed with just Democratic votes? Of course it could have. But there are less than 100 votes against us from sending those emergency dollars, not only to those victims of Hurricane Rita, Hurricane Katrina, Hurricane Wilma, but also it allowed us to have the opportunity to be able to stand up on behalf of the children without health insurance.

When I talk about bipartisanship and tie Iraq into that equation, I think it's important for me to pull the evidence out of how we've worked together under the democratic leadership in the House and bringing issues to the floor that we can be Americans on, not just Democrats and Republicans.

Implementing the 9/11 Commission recommendation, H.R. 1, passed with 299 votes, and with 68 Republicans voting in the affirmative with Democrats.

Raising the minimum wage, H.R. 2, passed 315, with 82 Republican votes, and the rest, a supermajority of them were Democratic votes.

Funding to enhance stem cell research, 253 in the affirmative, 37 of those votes were Republican votes.

Making prescription drugs more affordable for seniors, 255; 24 Republicans joined us in that effort.

Cutting student loan, low-interest rates in half, H.R. 5, 356 votes; 124 of those votes were Republican votes.

Working in a bipartisan spirit, creating a long-term energy initiative as it relates to making sure that we're able to invest in the Midwest versus the Middle East, 264 votes, which is H.R. 6, with 36 Republicans joining us in that effort.

I think it's important to know that, and that was just in the Six for '06. But I think it's important for the Members to understand that it's important, and as we approach these reports and these benchmarks and the things that the

Iraqi Government must do to be able to continue to receive, even beyond the 3-month funding that we've put in place until September; I want the Members to pay attention to these reports as they come before the Congress.

I want them to pay attention to the debate that we will have next month on this issue, and vote as an American, not as someone as a Democrat or Republican. I just want the Members to be able to understand that the Democratic leadership is providing this opportunity for us to come together as one on behalf of those that are in harm's way.

I think it's also important for the report that comes in in September, and I will tell you as a person that's paying very close attention to this, let alone, Member of Congress, I don't know if the report is going to be much better than what the situation is right now, but if there's a process to get our men and women out of—our combat troops, I must add, out of Iraq, going door to door, kicking in doors, 3:00 searches to bring about security in an area of Iraq or Baghdad itself, we have to allow the Iraqi Government to be able to do those things on behalf of their country to be able to carry out those security missions.

And I will tell you, someone that has, you know, children and, hopefully they will have children, and as we move on to future generations, I think it's important for us to understand that there has to be some point in this war where we give a supermajority of the responsibility of security to the Iraqi people.

I think it's very, very important that if we don't live by the rules that have been put forth in these benchmarks and the benchmarks that was in the emergency supplemental, and if we don't treat these two reports to Congress as Members of Congress versus a member of a given party, then this whole process that we set up to be able to give the administration an opportunity to share not only to the world, but to this Congress, that our mission there is still needed for security of the Iraqi people.

I think it's very, very important for us, because, you know, it's good to say, well, you know it's good to make sure that families are secure. But it's counterproductive in many ways. And Madam Speaker, I think it's important that we really reflect on what are the positives and the negatives.

Well, let me just talk a few minutes about the possible positives, making sure that we can help for a longer period of time the Iraqi Government to be able to secure itself and stand up on its own two feet, have the kind of democracy that's good for Iraq, probably not as good for the United States, but good for that area of the world. And there are some other countries and people are saying, Good job, United States. Those are the possible positives.

Let's talk about the negatives just for a minute; not to say that there

aren't other positives that are out there, but I don't want to take too much time on this particular point.

The negatives: The negatives come in a package that many of us cannot comprehend. And I know a number of Members have not taken the privilege that many Members that are from the national security arena or serve on the committees, but I welcome the Members to go to the Pentagon, or I welcome the Members to get the kind of briefing that many of us have received here in Congress about what our men and women are doing in Iraq.

Well, it goes something like this, or you can just watch any of the cable news shows and it'll show you exactly what they're doing. Many times, as it relates to these security missions, because there's a civil war that's going on right now in Iraq that our troops are in the middle of, they have to carry out security missions. And in those security missions, many times, locks and deadbolt locks on doors are kicked in, and it's not at a reasonable hour when folks know when you're coming, house search, looking for insurgents. 3:00, 4:00 in the morning, families are brought into the middle of the floor, flashlights are shining in their face.

And I will tell you this: Someone that's living here in the United States, if something like that was to happen at my home, I'm pretty sure that all involved would never forget the event.

It's motivating our actions there of fighting on behalf of the Iraqi Government and the people and trying to keep the peace, even though we're all well-intentioned, and our purpose is not to harm individuals, but as you look at it, it's one of the things that kind of come along with security in that part of the world. And it's necessary as long as we're there. And that's the reason why we have to get our combat troops out.

Just like many Americans were super-motivated after 9/11 to go to either one of our Armed Forces offices to sign up to join the military and go to Afghanistan, these young men, mainly, and women, are signing up to join the jihad against the United States of America in a radical way. And it doesn't make sense to a lot of us, but all they remember is that someone who had a U.S. flag on their shoulder kicked in their door, and instead of bringing the peace, and instead of us getting the kind of rose petals and seen as liberators; and as it was explained to us by the administration and by many of the folks that came before the Armed Services Committee, I think it's important for us to understand that the negative is the counterproductive action that is taking place now that's putting us in a situation that we've never been in before, where we have other countries questioning our motivation for being in Iraq.

So I want to make sure I'm saying it in a very plain way, because I'm not trying to get into acronyms and trying to head into an area that many Members, because you don't serve on the

area or the subject, or you haven't served professionally in the Armed Forces, or you haven't been in a command position, I'm not talking—and I haven't either, but I want to make sure that we all understand, because I think the coming days and the coming weeks are going to be very, very important to not only the future of Iraq, but also the future of our country. I want to make sure that we have an opportunity to talk about some other issues here today.

But I wanted to recognize my colleague from Pennsylvania, who is here to not only talk about this issue, but other issues that may be facing the Congress.

I yield to the gentleman from Pennsylvania (Mr. SESTAK).

Mr. SESTAK. Thank you for yielding. I wanted to also speak about Iraq and our U.S. security.

I've always felt that Iraq is a tragic misadventure. I can remember being on the ground for just a short period of time, 2 months after the war in Afghanistan began, and I saw what needed to be done. I brought an aircraft carrier battle group back, 30 ships, 15,000 sailors, Special Forces, SEALs, Marines. And then I went back on the ground 18 months later in Afghanistan and I saw what had not been accomplished because we diverted our attention, our resources, Special Forces, psychological forces, civil affairs forces to Iraq.

I have always believed that not only is Iraq a tragic misadventure, but there is a strategy by which we can redeploy out of Iraq and not leave a failed state.

□ 1900

I have never believed in doubling down on a bad bet, and that is what we have done by this most recent surge of forces into Iraq. The last 2 months have proven that. We have had more U.S. casualties among our forces than any 2-month period back to 2004.

There is only one solution to Iraq, and that is not by continuing to flow forces there. It is by setting a date that is certain, a specific date by which everyone knows we will redeploy out of Iraq. I believe that this date certain, much like a tax policy here in the United States, is something that can begin to change the structure of incentives within Iraq and about the surrounding countries so that their behavior in Iraq, as well as in the critical Nation's of Iran and Syria, changes. If we are to set a date certain, the Iraqis will begin to understand that no longer will we continue to provide a political and a military cover for their 32 ministries in their government, that each is headed by an individual that is bent not upon Iraqi ambitions but personal ambitions to ensure that they consolidate as we provide them cover for their personal fiefdoms. We should let them know that we will no longer let them pursue these ambitions; that they must step up and assume personal, professional responsibility for the chal-

lenging political questions that must be addressed.

When Senator HAGEL and I went together to Iraq, we had the most senior Shia and Kurd leaders tell us that the reBaathification law, which would welcome back in the Sunnis, was something that was not only not important, but in their minds, it was appeasement. When will they begin to make the political decisions, to make the political accommodations to begin to reconcile their country so there can be stability? A date certain, at a certain length of time, my bill has said, for the last 4 months, at the end of December, is the one remaining leverage that we have in that region to also turn to Iran, who is involved destructively with Syria in this war, making us lead profusely while we are there, to change their incentives so that they understand that if we no longer keep this top on a simmering pot, that they will have to deal with the stability that will ensue.

There are 4 million Iraqis that have been dislocated from their homes, 2 million of which have overflowed the borders. The Iranians and the Syrians do not want to have the remaining refugees come over their borders so that they have to deal with that instability. And, second, they do not want a proxy war between these two allied nations, Shia, Iran, on the one hand; and Sunnis, Syria, on the other, as they then would be left fueling different religious factions, a proxy war between themselves if we are not there. If the United States has the confidence to lead not just with its military but with diplomacy in that region, bringing Syria, Iran together to understand that the term "insh'Allah" that is so well known in the Middle East, God willing, tomorrow, will no longer be accepted by us. Give them a date certain by which we should redeploy, because we also need to remember the length of that time cannot for us be tomorrow.

It took us 6 months to redeploy out of Somalia with a much, much smaller force. In Iraq, we have 160,000 troops and over 100,000 U.S. civilians. It will take us some months. But under a date certain, we can leave behind a strategy that can leave an unfailed state as we redeploy within that region to our bases in Oman, Qatar, and Bahrain, carry a battle group into Afghanistan and many to come home because we have an army that does not have one unit that is ready to deploy anywhere in this world from home because they are in such a low state of readiness.

As I conclude, I ask this Congress, the Democratic party, to ensure they pursue the strategy that will leave not an unfailed state but a state that is stabilized to some degree as we work with the regional nations to also understand to never again put our troops between us and the President.

Being in the military has the dignity of danger. It is a dangerous business, but it doesn't have to be unsafe. We must do this on an authorization bill, not an appropriations bill. The moneys

should flow for the safety of our troops as we do an authorization bill, set a date certain, 6, 9 months from today, and safely redeploy our troops as the one remaining leverage for those nations in that region to come together under U.S. confidence so that we can leave that nation, build up our strategic security again and focus on the rest of the world and here at home. And I am very grateful for the time.

Mr. MEEK of Florida. Madam Speaker, I thank my friend from the great State of Pennsylvania. I think it is also important.

It is also important to recognize those that have been in the field. Like I said, I personally haven't, but I am a Member of Congress, and I do pay very close attention to what those that are in the field have to say about what is happening in the field and also with the administration. And it has been a great discussion.

One would say, we have a Democratic House, and we have a Democratic Senate. Why can't we bring about an end to this war? Well, I will tell you one thing: It can't be without effort.

We have talked so much, Madam Speaker, on this floor about Iraq that it is almost like Iraq, Iraq and that other issue, Iraq. And I think the reason why we have talked about it is the fact that we know that we have to bring an end to what we have presently in Iraq right now. And just like my good colleague from Pennsylvania said, it is going to take time. I mean, it is almost like when you are moving out of a neighborhood or out of a house, you just can't do it in a day. It is going to take time for you to pack and do the things that you need to do, and that is even more difficult when you start looking at moving brigades and battalions and also assets.

I want to just go through, Madam Speaker, the time line because I want to make sure that Members know that many of us here on this floor have done our due diligence in trying to get ourselves out of this situation. And we know, as it relates to the timeline, and I already talked a little bit about the benchmarks, but in February, there was a vote on this floor, which was a nonbinding resolution, but it sent a very strong message to the President of the United States that we did not stand with him as it relates to the surge technique that he came up with or the escalation of troops, as I call it, in Iraq. The Congress voted in the affirmative philosophy saying that it would actually work. That is one. It happened in February.

Also, there was also a resolution that imposed restrictions on the White House to responsibly begin a withdrawal of U.S. troops from Iraq. That was another vote that took place here on this floor, which then the President vetoed. It passed the House, passed the Senate, and he vetoed it. Then there was a big meeting at the White House of Republicans and the President, enough Republicans to assure that the

Congress could not override the President's veto. I think 1 day or 2 days after that, I think, we remember every-one kind of came out in front of the White House, and they said, "We support the President." And I am talking about the Republican conference in the House, mainly House Members, and they said, "We will not participate in the overriding of the President." We know that took place.

But still this Democratic House, along with the Speaker and I would even add maybe a couple of Republicans, and I am not sure, so don't quote me on that, voted to override the President's veto. And we failed. We did not have enough votes to do it. Why? It wasn't because Democrats went south on us or they didn't vote to override the President's veto. It happened because we didn't have the votes. We didn't have the bipartisan spirit that we needed to make it happen, and it did not happen.

Also, when we look at the force protection and when we look at the things that our men and women have, I would say it was a courageous vote if you voted for the supplemental or you voted against it. It was courageous. And, also, I think it is important for us to understand that many of the issues that we are facing right now and our troops having what they need through the Defense Authorization bill; we imposed the readiness standards on the Armed Forces and making sure that there are standards. We knew. We took this from the DOD rules, but no one wanted to enforce it over there. We voted for being responsible and complete as it relates to the redeployment of our troops and to be able to withdraw our troops again, a vote that received 171 votes. Many of the members of the Out of Iraq Caucus and others spearheaded that vote. And I voted for it. I think it is important for us to understand that that time has now come. So we have to get that process started.

One may say, well, why don't we stop? Well, the reason why we had to make sure that the men and women have what they needed, and no one wants anyone in the field not having what they need, is that we do have a political battle going on here and we do have a political impasse that is going on right here between the administration, members of the Republican Party that are in the U.S. House of Representatives and Senate, and it is important that we get past that impasse.

And that is the reason why, Madam Speaker, when I started out here today in this Special Order, I said it is going to take the bipartisan spirit that we had in the Six in '06 initiatives. It is going to take the bipartisan spirit that we had on the two emergency supplemental amendments. It is going to take that bipartisan spirit for us to get there.

Now we have these benchmarks. Now we have reports that are going to have to come before Congress. And I am asking the Members to not look at it as a

Republican or a Democrat or I am a real Republican or I am a conservative, a liberal Republican or a moderate or a conservative Democrat or a moderate Democrat. It doesn't matter. You have got to look at it through the eyes of being an American. And I think it is very important that we realize that, come the dates of the benchmark, when the reports have to come before the Congress, which is July 15 and September 15, that action has to be taken, and there will be other votes that will be coming up. There will be votes that will be introduced in September to deauthorize the war. That is not a secret. I will say it right here. It is going to happen. So do your reading. Do your research. Do your soul searching. Talk to your constituents because the bottom line is it is what it is. It is what it is. We are in the middle of a civil war in Iraq. And I don't need to even go back to the whole thing about Iraq originally having nothing to do with 9/11. We all know that. I don't even need to go back to the fact that we were told and the country was told about weapons of mass destruction, and there were no weapons of mass destruction. We all know that. I don't even need to go back to the administration, the Republican leadership at that time, saying we will use the revenues from oil in Iraq to be able to fund the war, and we will be greeted as liberators, and it will be the best thing since apple pie and Chevy trucks. We already know that, and I don't need to go back there and elaborate further on those issues.

A lot of folks like to talk about the past. Someone took a vote a couple months ago and has got a problem with that vote. Well, that's fine. You can have a problem with that vote. Let's talk about the votes that are coming up. Let's talk about the benchmarks where one has to report before Congress. Let's also talk about July 15. Let's talk about September 15. Let's talk about what is going to happen when the 3 months of authorization or funding that was given in the emergency supplemental, let's talk about that. Let's talk about looking at a step-by-step process to deauthorize the war in Iraq. Let's talk about those issues. Let's act on those issues.

And to those that believe that this war should have ended yesterday and that it has not ended yesterday because there is not enough leadership on the Democratic side to make it happen, well, look at this and listen to this: There wouldn't even be a vote on the floor if it wasn't for the Democratic leadership bringing these issues up. It wouldn't even be in the newspaper. It wouldn't have been considered. There wouldn't have been a number of hearings that have been held in the Rayburn building, the Armed Services Committee and in the Foreign Affairs Committee and the Appropriations Committee.

□ 1915

We have already surpassed the hearings on Iraq and all of those committees in this Congress alone, and we're not even past 7 months yet. So, for those that are saying well, what is the House doing and what is the Senate doing? Understand this; in the Senate, it's hard to even get the votes to even get half of the stuff that we've done here in the House, not because the will is not there, it's because we don't have that bipartisan spirit that I spoke of.

I think it is important here in this House that we realize, I mean, last night was a perfect example, that we have to work in a bipartisan way if we're going to stand up on behalf of the American people. We may have impasse, but we've got to get beyond that. We've got to make sure that we run this House in a way that the American people can be proud of it.

But, you know, it's one thing about procedural motions, Mr. RYAN, my good friend from Ohio, and it's another thing about action. And because so many American lives are in jeopardy in Iraq right now in the middle of a civil war, we don't have enough time to play politics here in Washington. The only thing that we have to do is to allow our troops to have the kind of representation, and their families, here in this House and over in the Senate and in the White House that will eventually reunite those families with their fathers, their mothers, their sisters and their brothers. There is a process. The name of this action of getting out of Iraq is not checkers, it's chess. We have to think about it and it has to be thought out.

We're not trying to microwave major decisions. But I can tell you, we don't have enough time for those who want to play "operation run the clock out" and see how long can we go until we get that end date. My good friend from Pennsylvania was just here saying that there has to be an end date. On the lease of a car, there is a date that you've got to return the car back in. On a loan, there is a date that the loan has to be paid off. There is a date that it has to be paid.

Mr. RYAN of Ohio. Will the gentleman yield?

Mr. MEEK of Florida. I will yield.

Mr. RYAN of Ohio. The opposite of that, if there is not a date certain, that means that there is no end. And quite frankly, if there is no end in sight, how do we expect the Iraqi troops to get trained and to actually stand up if they think we are going to continue to be there? You know, it's like raising kids, at some point they've got to leave the house. They've got to stand up on their own. They've got to go pay their own rent, their own cars, their own insurance and everything else. I think that is what we are trying to communicate. We're not saying we want an end date just to have an end date. There is a reason. I think it is important for the Iraqis to know that the American people are not going to support this for-

ever, and they need to stand up, regardless of what side you are on on the vote a few weeks ago or at the beginning of the war.

I want to talk about what happened last night and today on the House floor and what bill we were trying to pass. As most people know who are paying attention to this now, we have a procedure here where we bring a bill to the House floor after it goes through the committee process. And yesterday it came to the House floor and it was what we will call an open rule, so anyone can offer an amendment. There were over 140 amendments to the Homeland Security bill. And our friends in the minority who used to run the Chamber, Republicans, Madam Speaker, were frustrated about earmarks in the congressional process, and so they were protesting this bill. They kept invoking a motion called a motion to rise, which basically ends debate on the bill and on the amendments and stops the process. They did this, I think, nine times last night, and debate went until 2 in the morning.

I share this with other Members and those paying attention, Madam Speaker, because they, in essence, filibustered the Homeland Security bill. And it is important for us to recognize what this bill does. This funds the Homeland Security Department. I want to go through this because our friends filibustered more border patrol agents, 3,000 that the Democrats were trying to fund and get to the border so that we can secure our border.

Now, we hear from our friends on the other side about border security, about illegal immigrants, about all of this stuff that they keep talking about about illegal immigrants and terrorists. Last night and today, Mr. MEEK, we tried to put 3,000 Border Patrol agents on the border, and they filibustered the bill. So we have not had a vote on this bill. It has not passed the House.

We had money in here for first responders, for our firemen, those people who would arrive on a scene first in the most critical time in the most critical positions. They filibustered that. So this bill did not pass the House.

We have equipment and technology that will allow us to keep our ports safe and to monitor what is coming into our ports and detect possible attacks on the United States; the Republicans filibustered that. And this bill did not leave the House floor today as it was scheduled. State grants for law enforcement, \$90 million, urban area grants. The list goes on and on. Transit grants; emergency management perform grants; fire grants; metropolitan medical response grants; interoperable communication grants; port security grants; REAL ID grants; explosive detection systems; air cargo explosive screenings. It did not pass the House because the Republicans filibustered the bill today. You know why? Because of earmarks. And you know what? There wasn't one earmark in this bill,

not one; not a Democratic earmark, not a Republican earmark. It was pure politics today on the House floor, Mr. MEEK. You know it, I know it, they know it. And who suffered through all of this? The American people.

Let me make one final point before I volley it back over to you. The National Intelligence Estimate stated last year that the war in Iraq has created more terrorists around the world who hate America. Okay. So whether you were for or against the war in Iraq at this point is irrelevant, really. What are we going to do now? Well, the National Intelligence Estimate has said that there are more terrorists who hate America now. So now there are more terrorists out there than there were before, around 9/11, that are going to come to America and try to harm us.

So, in order to combat that, the majority of the Democrats are saying, why are we fighting this war in a country that had nothing to do with 9/11, was not harboring terrorists, was not the Taliban, right? And we have this war going on. Democratic philosophy is, fund the Homeland Security bill. Protect our ports; protect our borders; fund our first responders. Let's put some money so we can have more Arabic-speaking translators so that the stuff we are pulling down off the satellites we can translate. Right now we don't even have enough translators to translate the tapes that we are taping from the satellites from terrorists around the world.

Let's be smart. This isn't 1940. You don't drop big bombs anymore. Everything is decentralized; it's more delicate, it's more complicated. It takes a more complex constructive debate, not filibustering the demagogue earmarks in a bill where there are no earmarks.

I thought what happened in the last 24 hours has been a real disservice to the American people, and I think it continues to point out why they had a change of heart in the last election.

A couple of the comments that I would like to respond to, Mr. MEEK, that were made today and last night. First of all, we hear a lot from our Republican friends, Madam Speaker, that the Democrats are fiscally irresponsible, okay? Which holds absolutely no water.

Mr. MEEK of Florida. Will the gentleman yield?

Mr. RYAN of Ohio. I would be happy to yield.

Mr. MEEK of Florida. Mr. RYAN, I always get into this thing that I don't even like to say what they say because it's just so, you know, it's almost like because they say it, I guess that it's supposed to be true. It is so far from the truth. It's almost like if you get a letter and you say, wow, in this letter it says that the rain goes up from the ground and into the sky, let me go outside and check. I mean, it's so funny. I mean, you know the rain comes down, so why do you have to check their point that it goes up?

You know, I came today, Mr. RYAN, to talk about and hopefully provide

some verbal leadership in a bipartisan spirit, because if it was just politics I would say, well, Republicans keep doing what you're doing and we're going to keep doing what we're doing and we will see next November how the people feel about it. You continue to dig the hole. But you know something, Mr. RYAN? The difference between politics and what happened on this floor last night and today is the fact that American lives are at stake.

Mr. RYAN of Ohio. That's right.

Mr. MEEK of Florida. It's not politics. This is blood. It's family. You know? And it's very, very important that we all understand our responsibility.

I also think, Mr. RYAN, as you go on to speak in a very forceful way, and I am glad that you are doing that, as a member of the Appropriations Committee, that if we are going to get through this process we have to think about the institution of the House of Representatives.

Now, I am not a Member of Congress with a conspiracy theory, but the last time we were in control, all of the appropriations bills passed the floor and went through the process, conference and everything, on time. It wasn't continuing resolutions upon continuing resolutions upon 3 more months of a continuing resolution and say, oh, my goodness, we're into the following year. It wasn't that kind of effort. It was running the government like it is supposed to be operated.

We came in here this week to complete how many appropriations? Four, five appropriation bills? Four appropriation bills. And now we find ourselves behind schedule. We find ourselves in a posture that we did not plan to be in, and that's running behind, not because the will wasn't there on behalf of the committee, not because the staff didn't do what they were supposed to do to prepare the necessary bills to move to the floor and through committee and through subcommittee, it's because of the procedural moves that some Members of the House, Republicans, use.

Mr. RYAN of Ohio. Will the gentleman yield?

The arguments we were hearing today from our friends, two things that really struck me as funny, actually, it was so outrageous, one is, we are not fiscally responsible, Madam Speaker. That was the first argument is that we're not fiscally responsible. This is coming from a party who, in the last 6 years, Republican House, Republican Senate, Republican White House, borrowed more money from foreign interests than every President and Congress before them combined. Now we are going to get lectures on fiscal responsibility. Borrowing money from China, Japan, OPEC countries, South Korea, the list goes on and on. And we've only been in charge 5 months. We haven't even passed a bill yet and now they're saying we are fiscally irresponsible. It doesn't hold any water.

And then the other comment was that we are not spending the money properly. This is coming from the party that has been running the war in Iraq, where they are giving more money to Halliburton. Halliburton has already been fined for marking up food, trying to basically war profiteer off of what's going on in Iraq. The Pentagon lost a trillion dollars and nobody even knows where it is. And we're going to get lectures on how we are spending our money. Same group of people who oversaw Katrina, the disaster where people were dying because of the poor investment, poor management, poor execution, poor planning of this administration with a Congress that provided zero oversight, we are going to get lectures on how to spend money and how to run government. Doesn't hold any water.

Now, here's why I think, and I'm going to get out here on a limb here a little bit, Mr. MEEK. Here is why I think our Republican friends are trying to filibuster and distract and throw up red flags and put some smoke into the air to try to distract, and mirrors, just to try to get everybody thinking differently.

□ 1930

Here is why I think. I want to just briefly review what we have done with our budgets out of committee. Some haven't passed yet, but some are on their way, and we are going to get these through, because the American people deserve it.

Our veterans budget, Mr. MEEK, was the largest, and we all know the veterans' problems across the country, we don't have to outline them, the largest increase in veterans spending in the history of the VA. Our veterans who come back home will be taken care of.

Saying that we support our troops is not a punchline for us. It is something that we take to heart. Budgets are about priorities and values, and in our budgets we have the largest increase for veterans. We have programs that are funded in there for brain injuries, for posttraumatic stress, to make sure the drug supply stays safe for our veterans, and on and on and on. We fixed the Walter Reed problem, rehabilitation, prosthetics. Everything that is needed for our veterans, they got.

In the last 21 years, there has been a small coalition of veterans groups who have their own little budget that they submit to Congress. Never before has Congress met what they wanted in their budget, until this year. We not only met it, we surpassed it by \$230 million. We went above and beyond even what the veterans groups were asking for, because that is the commitment that we have.

With that coming down the pike, if I was in the minority and been in charge for 16 years or 14 years and had a President, a Republican President, and didn't deliver on any of that, I wouldn't want to talk about the Democrat's success either. I would want to

start all kinds of other fights and filibusters and do everything else.

That is just the beginning. In the education bill, we increased the Pell Grant by \$600 or \$700. In Ohio, for example, where Governor Strickland now passed a budget where there is a zero percent increase in Ohio college tuition next year and a zero percent the next year, it used to be 9 percent and 9 percent, you take that, if you are a student going to school in Ohio, you go from 9 percent increases to zero percent increases and a \$700 bump on your Pell Grant, that is a tax cut for average families.

We have increased Community Health Centers, so poor and middle-class people can go to a Community Health Clinic, by \$400 million. Thousands of people in America who didn't have access to healthcare will now have access to it, at least through a clinic.

EvenStart, Head Start, after school programs, all funded with increases from the Democratic Congress. We passed the minimum wage, Mr. MEEK. We passed a \$200 million-plus investment in alternative energy resources and research.

Now, I am done, but I just want to make the point that with all of this positive news going on, Mr. MEEK, I wouldn't want to talk about our budgets either. I would filibuster anything to prevent the Democratic Congress from passing these bills, taking them to the American people and campaigning on them next year.

Mr. MEEK of Florida. I think what is important, Mr. RYAN, is that we look at this thing for what it is, we look at it for what it is, and we let it be known, because you know, it takes us a little while, Mr. RYAN, to kind of get ourselves in the groove of really talking about the situation at hand.

The situation is, unfortunately, politics is overruling the governance of this country. It is almost like having someone at the dining room table, Mr. RYAN, that will continue to be disruptive when you are trying to have a decent conversation at the table.

Now, let me just tell you, last night about 11 p.m., it was very interesting to hear some of the debate, about, you know, it wasn't about the fact that there was a lack of border agents in this bill or ICE agents or there was a lack of homeland security equipment to follow up on all the 9/11 recommendations. That wasn't the argument. It wasn't an argument that we were being weak on something. The argument was all about, well, you know, somebody told me that this is the procedure and I disagree with the procedure. This is the homeland security bill, and as we started to go through the process of showing that Democrats can govern, it was, well, how can we disrupt that process?

Now, there are two things, Mr. RYAN, when you were talking that came to mind. The President has said, as a matter of fact, he hasn't said it, he sent a

letter to the Speaker saying that if you send me a bill that is over the budget that I sent you, then I am going to veto it. That means if we have any great ideas as it relates to doing something about healthcare in this country, the President is saying I don't want to hear it, because it is not in my budget. So shall it be written, so shall it be done.

I know the President is a little spoiled. I know he is accustomed to having certain things from the rubber-stamp Congress and all, and this is a new kind of thing for him and the administration. But I think it is important that we pay very, very, very close attention to what is happening as we start to think about democracy.

Now, to say you are going to veto something, that means two things. This is speculation, maybe. Our colleagues on the other side of the aisle are saying, let's slow this thing down a little bit, because we get all of these bills passed, which they will pass, and then it goes to the President and he starts to veto these bills. Then they call us on the next day, the President, "come down to the White House," like they did when we passed the emergency supplemental, putting not only dates of redeployment, but also benchmarks, and if they weren't met, then redeployment would start automatically, and then had an end date as relates to making sure we get a majority of our combat troops out of Iraq. He called the Republicans down to the White House and they said, we are not going to override you. Okay.

Will they do that, or can they do that, Madam Speaker, when it comes down to education? Will they do that or can they do that when it comes down to homeland security? Will they do that, and when I say "they," the Republicans, stand with the President when it comes down to the largest increase in the VA history? Can they stand with the President to withstand an override or to help him withstand an override? That is the problem.

So as we start to look at this issue and as we start to march down the road of responsibility and moving this country in a new direction, that is what the people voted for, and, guess what? Some Republicans were elected on new direction too. Folks wanted a change. They wanted to come to Washington and do what they needed to do. Independent thinkers.

It didn't look like that last night. It looked like, you know, well, the leadership has told us this is what we have to do, and if we have to be here and the sun is going to rise, that is fine. We will be here.

I voted against rising last night. It is already on the record. It was on the board. I voted against it, because I didn't believe that it was right to allow anyone to do what they were doing to the level that they were doing it. That is fine.

The Democratic side, we have done motions to adjourn, done motions to

rise. But, guess what? One or two or three times, maybe. But when you start making history, and I haven't checked, maybe I need to check with the Clerk's Office or the Historian of the House, of double digit motions to rise in the middle of the night, that is something that we must question.

So, Mr. RYAN, as we start to focus on this issue of the true motivations of what is happening with these appropriations bills, I think the Six in 06 was a little bit too much for the Republican minority to swallow and go home and explain. And I think because there has been a date certain, again, Madam Speaker, it is interesting, we have a date certain to pass these bills off the floor, I think that they don't want to go home the 4th of July weekend and start to explain why they didn't vote for the largest increase in VA history, why they didn't vote for education and healthcare for our children, why they did not vote to protect our environment, why did they did not vote as it relates to the issues of transportation and infrastructure, and why, you know, Mr. RYAN, in closing, I take that from you, sir, why did we continue to stand with the President to withstand an override, because the President has said I am going to veto any bill that comes to me \$1 over the budget.

Now, here is the President that has sent us into a free-fall as it relates to deficits as far as the eye can see and record-breaking borrowing from foreign nations, higher than it has ever been in the history of the Republic. This is coming from this President. It is coming from the administration and the minority that was in the majority in the last Congress and the Congress before that of borrowing money in a rubber stamp fashion.

I just want to say that, because we have to figure out who is the pot calling the kettle black.

Mr. RYAN, we are brushing up on the last minute. I am going to yield back, and then you claim the time and we can go from there. You will have time.

Madam Speaker, I want to thank the leadership and also the Members for allowing me to serve, and I yield back the balance of my time.

THE 30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Ms. GIFFORDS). Under the Speaker's announced policy of January 18, 2007, the gentleman from Ohio (Mr. RYAN) is recognized for 60 minutes.

Mr. RYAN of Ohio. Madam Speaker, we are going to be brief. We just wanted to make a few more points here before we wrapped things up.

One of the issues that is a major issue for the country, for the Congress, for the American people, for people living on border states, is Customs and border protection.

We sat here many nights, Mr. MEEK and I, and listened to our friends come on the other side and give 5-minute

speeches, 1-hour speeches, on the issue of immigration, on the major threat to the United States of America of illegal immigrants coming over our border.

In this homeland security bill that our Republican friends filibustered today and yesterday, there is \$8.8 billion for Customs and border protection. \$1 billion is provided for border security fencing and tactical infrastructure, along with 3,000 additional Border Patrol agents being funded.

Now, we have a bill that they agree with. I mean, you want to talk about the Potomac Two-Step, Mr. MEEK? We have got a bill here that, across-the-board, everybody agrees with. You ask them why they are not voting for it, and they say, because we are against earmarks.

We say there are not any earmarks in here. Now why are you voting against it? Politics.

We have got to get past this, especially on an issue so critical as this.

Now, we added \$27 million for 250 additional Customs and Border Patrol Agents for commercial operations and validations of commercial vehicles, verifying that trusted shippers have placed necessary security measures mandated in the SAFE Port Act. I mean, I don't understand. I mean, you know, this is my fifth year here, but I don't understand.

We are trying to pass a homeland security bill, and one of our friends, our buddy from North Carolina on the other side, said today that we should have passed the defense bill first. That was his big argument he made today, when we just passed a defense supplemental bill for \$120 billion, with close to \$100 billion of defense spending in there. We just passed one, and the funding goes until September 30th.

We are talking about protecting the homeland, Mr. MEEK. We are not talking about all these other great things we are doing. This is essential. This is our constitutional duty, is to protect the country. Article I, Section 1 of the United States Constitution, Mr. MEEK, creates this House right here, and that is our first obligation, to make sure that we support that.

So I think it is important that those folks who are at home find out what is going on in this bill. Those folks in our own congressional districts across the country, who are members of law enforcement, who are police, fire, they need to know that we had millions and millions, and it probably adds up to billions of dollars, in here.

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One of the things you hear about is intra operable communication grants. If you hear from our local police and first responders, it is that they don't have the proper equipment in a crisis situation to communicate with each other. So we put in here \$50 million to continue a program to help local police, firefighters and first responders to talk to each other during a crisis.

Fire grants, \$800 million; that is \$500 million above the President's request

to address communications and staffing problems facing local fire departments.

Emergency management performance grants. And \$300 million for all hazard grants, State and local emergency managers, national emergency management agency performance grant report. There is a \$287 million shortfall in that program. We are trying to fix it. We are trying to fix it. And we had a filibuster last night until 2 in the morning last night.

Mr. MEEK of Florida. We are trying to slingshot the firefighters and first responders in for a win. We are trying to give those protecting our homeland on the front line, we are trying to give them what they need.

There is an old saying that the field mouse is fast, but the owl can see at night. I think it is very, very important that everyone understands that even though procedural, and it may be funny in the Republican conference, oh, we showed them, remember the CONGRESSIONAL RECORD reflects what one says and what one does.

If you want to take the time, and I want to say in the 30-Something Working Group we want to be correct. We found eight motions to rise last night. As we talk about this, when I go back home I tell my constituents, we are doing everything possible to end this war in Iraq. The last thing that we want to do is not give our service men and women what they need while we get through this partisan impasse.

Secondly, it is going to take a bipartisan fix to deal with Iraq. Democrats cannot do it alone because we don't have the votes. We have put benchmarks and redeployment of combat troops and moving our troops out to the peripheral, giving more responsibility to the Iraqi government, defunding some of the things that we said we would fund to the Iraqi government based on the fact that we don't want to reward lack of work or bad behavior or lack of accountability.

And I think as we start all of these different agencies that are looking into these issues, as they start to release the reports and as we start to look at them, we look at the lack of funding and the lack of accountability that has taken place in Iraq. As we look at this, I came to the floor to share with my Republican colleagues and be on the record so that Americans will know that you all of us have a choice. Over 70-plus percent of Americans, and I am not going to an exact number, but 70-plus percent of Americans would like to see us out of Iraq.

Democrats, Republicans, people that vote for the first time, Independents, are waiting for the kind of leadership that should happen and needs to happen, but it has to happen in a bipartisan spirit. I didn't see any Democrats saying we will not participate in overriding the President's veto. I want to also say that the President wouldn't even have the opportunity to take out his veto pen if it wasn't for a Demo-

cratic Congress bringing that issue to the floor and voting in the affirmative to make it happen. It would not have happened. I share that with my constituents and Members of Congress.

I think it is important when we look at the issue, 218 gets us to where we need to be in terms of votes. But we need more Members to tell the President, we will not stand for the status quo because American lives are at stake. We know that many members of the Bush administration are well intended. I don't think that they are saying we are going to continue to carry out bad ideas that bring about bad results. I don't think that is premeditated thought. But those of us who are paying attention, reading and listening, understand that what we are doing now is not the answer.

I can commend many of the Members for voting or against the spirit of benchmarks and voting for accountability. I commend that. But July 15, September 15, it is going to be an opportunity for folks to be able to hear information and to be able to bring that information to the House of Representatives and for us to take a vote and for us to take a vote in the affirmative.

Sp those who went to the White House and said, we will stand against our very own colleagues in Congress if you try to override the President, to think about it. Think about it if you are going to go down there again. Think about appropriation bills where America is in need of domestic attention. The will of a majority here in this House is concerned about education, concerned about health care, concerned about the lack of resources our veterans have. We are concerned about our transportation and infrastructure. We are concerned about moving in the direction of creating our own energy, investing in the Midwest versus the Middle East and concerned about homeland security.

Do you want to continue to stand with the President against the will of the majority of the Congress when the American people are on the side of the U.S. Congress as it relates to Iraq? How many times do you want to walk through the gates of the White House and stand with the President on this very issue?

So I want to, I implore my colleagues, my Republican colleagues, I am not saying, stand with Democrats; I am saying, stand with your constituents. Stand with the American people. Stand with what is making sense right now, and that is making sure that we get our troops out of the middle of a civil war.

Mr. RYAN of Ohio. Two points I want to make before we wrap things up here tonight. I appreciate what you've said.

One of the provisions in this Homeland Security bill, and I keep going back through here to see what our Republican friends filibustered, and we have heard a lot over the last couple of years about airport security, obviously after 9/11.

I want to share with the American people, Mr. MEEK, and get into the CONGRESSIONAL RECORD exactly what is in this bill for transportation security. There is \$6.62 billion, \$307 million above last year, \$219 million above the President's request.

There are three major components of this bill: Explosive detection systems, there is \$849 million for procurement, installation and maintenance of equipment to protect commercial aircraft. This allows the TSA to address the most pressing needs identified in their recent aviation baggage screening study. They studied it and said, here is what we need. We said, here is \$849 million, get what you need to make the American people safe when they fly.

Air cargo explosive screening, \$78 million, which doubled the amount of cargo screened on passenger aircraft.

Our friends on the other side of the aisle filibustered this bill. It did not pass because of what they were doing.

Secure flight certification, TSA would certify that no security risks were raised by TSA secure flight plans that would limit screening of airline passenger names only against a subset of the full terrorist watch list, another mechanism to protect the American people.

Three major components of protecting the people when they travel, make this process easier and safer at the same time; our Republican friends filibustered this issue last night and today.

I want to end with one point. Conservatism is dead. I want to be completely clear about this. This isn't a George Bush, Madam Speaker, has screwed things up so bad we can fix it if we are just more conservative. Republican House, Republican Senate, Republican President, implemented the neoconservative foreign policy and implemented the conservative agenda without any inhibitions, without any barriers. It was all implemented.

Their tax policy, their spending policy, their foreign policy, their domestic policy, all passed the Congress and was implemented, and we have the largest gap between the wealthy and the poor since 1929. We have a foreign policy disaster that doesn't even need an explanation it is so atrocious. From the Middle East and all over the world, we are less safe today than we were just a few years ago because of this philosophy on government.

They have run down government for a decade and a half to two decades now, and when you turnaround and you need health care or you need FEMA to be able to react to a natural disaster, it doesn't work because you ran it into the ground. The philosophy doesn't work. It is not enlightened. It is not flexible. It is eight key words, and if you can't fit the whole problem of society and the complexity of society into those eight key words, then it doesn't work. And that is what we have seen happen.

We need a government that can change, that is responsive, that adapts

to the needs of our society. And our conservative friends have wrecked it. Now we have the keys to the car, and we are trying to do some things that are constructive. And we understand that they were incapable, Madam Speaker, of governing, but it doesn't mean that they should then impede us from doing it. That is what we want to do here.

Port security, border security, fire grants, police, first responders, all of these things are in this bill that our friends filibustered, and you will see our agenda implemented. You have already seen it in the increase in the minimum wage. You will see it with more community health clinics. You will see it with funding of Head Start. You will see it with Early Start and after-school programs, safer food. You will see it with transportation investments. You will see it from the Democratic Congress.

Their agenda has been implemented over the last 6 years without anybody to stop them, and it doesn't work, period-dot. The field mouse is fast, but the owl sees at night.

Mr. MEEK of Florida. Mr. RYAN, it is almost like that was a benediction of our Special Order here today. I just want to say, because you are going to have to yield back your time, that I want to not only commend those who work here in the House, the Clerk's Office and the Sergeant's Office and the Capitol Police and the folks from the physical plant, clerical staff and what have you, I appreciate it. It was a long night last night, and it has been a long week.

Also, Mr. RYAN, I think it is important, I want to thank you for coming down to the floor. I want to thank Mr. SESTAK for coming to the floor, my good friend from Pennsylvania, who spoke in a very forceful way about this issue of Iraq.

Madam Speaker, I am glad that, on the Democratic side of the aisle, we still have the resolve that we had when we were in the minority. Mr. RYAN and I both have an opportunity now to serve on two wonderful committees.

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I actually serve on two. He serves on the mighty and very powerful Appropriations Committee that he reminds me of constantly, and I have the opportunity to serve on the Ways and Means Committee and the Armed Services Committee, through waiver of the Democratic Steering Committee.

So the fact that we would come to the floor to say that we promised the American people that we were going to do things differently and that we had a new direction and still feel that it's our job to come to the floor and ask our colleagues on the Republican side of the aisle to work with us and work by us on these national security issues and the issues that are facing our children I think speaks to the level of intent that we had of saying, if you give us the opportunity to lead, we will lead.

So, with that, I thank Mr. RYAN for allowing me to be a part of your hour.

Mr. RYAN of Ohio. Madam Speaker, I thank Mr. MEEK. It's always an honor and a pleasure to be with you. If I don't get an opportunity to, I'd like to wish you a happy Father's Day.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WESTMORELAND (at the request of Mr. BOEHNER) for today on account of family medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. TAUSCHER) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFazio, for 5 minutes, today.

Mr. SESTAK, for 5 minutes, today.

(The following Members (at the request of Mr. WALBERG) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, June 19 and 20.

Mr. FRANKS of Arizona, for 5 minutes, today, June 14 and 15.

Mr. GINGREY, for 5 minutes, today, June 14 and 15.

Mr. JONES of North Carolina, for 5 minutes, June 19 and 20.

Mr. MCCOTTER, for 5 minutes, today.

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following titles:

S. 676. An act to provide that the Executive Director of the Inter-American Development Bank or the Alternate Executive Director of the Inter-American Development Bank may serve on the Board of Directors of the Inter-American Foundation.

S. 1537. An act to authorize the transfer of certain funds from the Senate Gift Shop Revolving Fund to the Senate Employee Child Care Center.

ADJOURNMENT

Mr. RYAN of Ohio. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 p.m.), the House adjourned until tomorrow, Thursday, June 14, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2185. A letter from the Under Secretary Rural Development, Department of Agriculture, transmitting the Department's final rule — Rural Economic Development Loan

and Grant Programs (RIN: 0570-AA19) received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2186. A letter from the Director, Executive Office of the President, transmitting a request for FY 2008 budget amendments for the Departments of Commerce, Energy, Homeland Security, Justice, and Transportation, as well as the Legal Services Corporation; (H. Doc. No. —37); to the Committee on Appropriations and ordered to be printed.

2187. A letter from the Associate Director, FinCEN, Department of the Treasury, transmitting the Department's final rule — Financial Crimes Enforcement Network; Amendment to the Bank Secrecy Act Regulations — Imposition of Special Measure Against Banco Delta Asia, Including Its Subsidiaries Delta Asia Credit Limited and Delta Asia Insurance Limited, as a Financial Institution of Primary Money Laundering Concern (RIN: 1506-AA83) received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2188. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's report on the amount of the acquisitions made from entities that manufacture the articles, materials, or supplies outside of the United States in fiscal year 2006, pursuant to Public Law 109-115, section 837; to the Committee on Financial Services.

2189. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Oversight of Credit Rating Agencies Registered as Nationally Recognized Statistical Rating Organizations [Release No. 34-55857; File No. S7-04-07] (RIN: 3235-AJ78) received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2190. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television [MB Docket No. 03-15 RM-9832] received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2191. A letter from the Acting Legal Advisor to the Chief, WTB, Federal Communications Commission, transmitting the Commission's final rule — MARITEL, INC. and MOBEX NETWORK SERVICES, LLC Petitions for Rule Making to Amend the Commission's Rules to Provide Additional Flexibility for AMTS and VHF Public Coast Station Licensees [WT Docket No. 04-257 RM-10743] received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2192. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Facilitating Opportunities for Flexible, Efficient, and Reliable Spectrum Use Employing Cognitive Radio Technologies [ET Docket No. 03-108] received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2193. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Modifications of Parts 2 and 15 of the Commission's Rules for unlicensed devices and equipment approval [ET Docket No. 03-201] received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2194. A letter from the Assistant Bureau Chief for Management, IB, Federal Communications Commission, transmitting the Commission's final rule — The Establishment of Policies and Service Rules for the Broadcasting-Satellite Service at the 17.3-

17.7 GHz Frequency Band and at the 17.7-17.8 GHz Frequency Band Internationally, and at the 24.75-25.25 GHz Frequency Band for Fixed Satellite Services Providing Feeder Links to the Broadcasting-Satellite Service and for the Satellite Services Operating Bi-directionally in the 17.3-17.8 GHz Frequency Band [IB Docket No. 06-123] received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2195. A letter from the Associate Chief Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information IP-Enabled Services [CC Docket No. 96-115 WC Docket No. 04-36] received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2196. A letter from the Acting Legal Advisor/Chief, WTB, Federal Communications Commission, transmitting the Commission's final rule — Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended Promotion of Spectrum Efficient Technologies on Certain Part 90 Frequencies [WT Docket No. 99-87 RM-9332] received May 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2197. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Revision of Parts 2 and 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) devices in the 5 GHz band [ET Docket No. 03-122] received May 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2198. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Emergency Preparedness Policies Developed for Nuclear Materials Facilities (RIN: 3150-A117) received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2199. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Access Authorization Fees (RIN: 3150-AH99) received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2200. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision 3 (RIN: 3150-AH98) received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2201. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: NAC-MPC Revision 5 (RIN: 3150-A113) received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2202. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting reports in accordance with Section 36(a) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

2203. A letter from the Secretary, Department of the Interior, transmitting the 2006 Annual Report for the Office of Surface Mining Reclamation and Enforcement, pursuant to 30 U.S.C. 1211(f), 1267(g), and 1295; to the Committee on Natural Resources.

2204. A letter from the Principal Deputy Assistant Attorney General, Department of

Justice, transmitting the report on the administration of the Foreign Agents Registration Act covering the six months ended June 30, 2006, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

2205. A letter from the Senior Vice President, Girl Scouts of the United States of America, transmitting the Girl Scouts of the United States of America 2006 Annual Report, pursuant to Public Law 105-225, section 803 112 stat. 1362; to the Committee on the Judiciary.

2206. A letter from the Secretary, Judicial Conference of the United States, transmitting a copy of a draft bill to authorize additional judicial resources in the United States bankruptcy courts; to the Committee on the Judiciary.

2207. A letter from the Director, National Legislative Commission, American Legion, transmitting a copy of the Legion's financial statements as of December 31, 2006, pursuant to 36 U.S.C. 1101(4) and 1103; to the Committee on the Judiciary.

2208. A letter from the Commissioner, Social Security Administration, transmitting the 2007 Annual Report of the Supplemental Security Income Program, pursuant to Public Law 104-193, section 231 (110 Stat. 2197); to the Committee on Ways and Means.

REPORTS FOR COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. H.R. 948. A bill to strengthen the authority of the Federal Government to protect individuals from certain acts and practices in the sale and purchase of Social Security numbers and Social Security account numbers, and for other purposes; with an amendment (Rept. 110-191 Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 948. Referral to the Committee on Ways and Means extended for a period ending not later than July 20, 2007.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. WOOLSEY (for herself, Mr. GEORGE MILLER of California, Mr. HARE, Ms. DELAUNO, Ms. SOLIS, Mr. PAYNE, Mr. GRIJALVA, Mr. KUCINICH, Mr. KILDEE, Ms. SHEA-PORTER, Mr. BISHOP of New York, Ms. LINDA T. SANCHEZ of California, Mrs. MCCARTHY of New York, and Mr. ANDREWS):

H.R. 2693. A bill to direct the Occupational Safety and Health Administration to issue a standard regulating worker exposure to diacetyl; to the Committee on Education and Labor.

By Mr. TOWNS:

H.R. 2694. A bill to protect the rights of consumers to diagnose, service, maintain, and repair their motor vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WAMP (for himself and Mr. LEWIS of Georgia):

H.R. 2695. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating Green McAdoo School in Clinton, Tennessee as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. LAMBORN:

H.R. 2696. A bill to amend title 38, United States Code, to increase assistance for veterans interred in cemeteries other than national cemeteries, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LAMBORN:

H.R. 2697. A bill to amend title 38, United States Code, to expand eligibility for veterans' mortgage life insurance to include members of the Armed Forces receiving specially adapted housing assistance from the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. UDALL of Colorado (for himself and Mr. GORDON):

H.R. 2698. A bill to authorize appropriations for the civil aviation research and development projects and activities of the Federal Aviation Administration, and for other purposes; to the Committee on Science and Technology.

By Mr. PATRICK MURPHY of Pennsylvania (for himself, Mr. WALZ of Minnesota, Mr. ARCURI, Mr. CARNEY, Mr. MORAN of Virginia, Mr. BOUCHER, and Mr. SALAZAR):

H.R. 2699. A bill to amend title 38, United States Code, to repeal authority for adjustments to per diem payments to homeless veterans service centers for receipt of other sources of income, to extend authorities for certain programs to benefit homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. SHEA-PORTER:

H.R. 2700. A bill to suspend implementation of an Absolute Priority issued by the Department of Education on July 3, 2006; to the Committee on Education and Labor.

By Mr. OBERSTAR (for himself, Mr. DEFAZIO, Ms. NORTON, Mr. NADLER, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOSWELL, Mr. CAPUANO, Ms. CARSON, Mr. HIGGINS, Mrs. NAPOLITANO, Mr. LIPINSKI, Ms. MATSUI, Mr. HALL of New York, and Mr. MCNERNEY):

H.R. 2701. A bill to strengthen our Nation's energy security and mitigate the effects of climate change by promoting energy efficient transportation and public buildings, creating incentives for the use of alternative fuel vehicles and renewable energy, and ensuring sound water resource and natural disaster preparedness planning, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SCOTT of Virginia:

H.R. 2702. A bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ANDREWS:

H.R. 2703. A bill to amend the Private Security Officer Employment Authorization Act of 2004; to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself and Mr. MARIO DIAZ-BALART of Florida):

H.R. 2704. A bill to give the consent of Congress to an agreement or compact between Alabama, Florida, Louisiana, Mississippi, and Texas for the purpose of establishing an

all-hazard mitigation, readiness, response, and recovery plan, and for other purposes; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN (for herself, Mr. FALEOMAVAEGA, Mr. FORTUÑO, and Ms. BORDALLO):

H.R. 2705. A bill to amend the Compact of Free Association Amendments Act of 2003, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FRANKS of Arizona (for himself, Mr. FOSSELLA, Mr. BARRETT of South Carolina, Mr. PAUL, Mr. EHLERS, Mr. HOEKSTRA, Mr. GERLACH, Mr. BLUNT, Mr. CHABOT, Mr. KING of Iowa, Mr. BARTLETT of Maryland, Mr. RADANOVICH, Mr. PITTS, Mr. RENZI, and Mr. AKIN):

H.R. 2706. A bill to amend the Internal Revenue Code of 1986 to provide for a credit which is dependent on enactment of State qualified scholarship tax credits and which is allowed against the Federal income tax for charitable contributions to education investment organizations that provide assistance for elementary and secondary education; to the Committee on Ways and Means.

By Mr. KUCINICH:

H.R. 2707. A bill to reauthorize the Underground Railroad Educational and Cultural Program; to the Committee on Education and Labor.

By Mr. NADLER (for himself, Mr. MURPHY of Connecticut, Mr. PATRICK MURPHY of Pennsylvania, Mr. HIGGINS, Ms. SOLIS, Mr. GRIJALVA, Mr. MICHAUD, Mr. RUSH, Mr. SCOTT of Georgia, Mrs. CAPPS, and Mr. HONDA):

H.R. 2708. A bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for annual screening mammography for women 40 years of age or older and for such screening and annual magnetic resonance imaging for women at high risk for breast cancer if the coverage or plans include coverage for diagnostic mammography for women 40 years of age or older; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON (for himself and Mr. LOBIONDO):

H.R. 2709. A bill to extend the minimum wage index established by regulation for each all-urban State under the Medicare inpatient hospital prospective payment system; to the Committee on Ways and Means.

By Mr. SESTAK:

H.R. 2710. A bill to repeal and modify certain provisions of law relating to the review of the detention of enemy combatants; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL (for himself, Mr. GOODE, Mr. DEAL of Georgia, and Mr. AKIN):

H.J. RES. 46. A joint resolution proposing an amendment to the Constitution of the United States to deny United States citizenship to individuals born in the United States to parents who are neither United States citizens nor persons who owe permanent allegiance to the United States; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

79. The SPEAKER presented a memorial of the Legislature of the State of Montana, relative to House Joint Resolution No. 31 opposing the Rockies Prosperity Act; to the Committee on Natural Resources.

80. Also, a memorial of the Senate of the Territory of American Samoa, relative to a resolution opposing legislation that would direct the Department of the Interior place three measures on the voting ballot for the next general election in the territory; to the Committee on Natural Resources.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 19: Mr. LINDER.
H.R. 39: Mr. MCNERNEY.
H.R. 63: Mr. ROGERS of Kentucky.
H.R. 111: Mr. HALL of New York.
H.R. 154: Mr. PRICE of North Carolina and Mr. FORTUÑO.
H.R. 174: Mr. STARK and Mr. SIRES.
H.R. 181: Mr. COHEN.
H.R. 223: Mr. DAVID DAVIS of Tennessee, Mr. DANIEL E. LUNGREN of California, and Mr. INGLIS of South Carolina.
H.R. 250: Mr. KIRK.
H.R. 260: Mr. ROTHMAN.
H.R. 282: Mr. MCCOTTER.
H.R. 322: Mr. WALSH of New York.
H.R. 406: Mr. KENNEDY.
H.R. 446: Mr. TIBERI.
H.R. 491: Mr. SHERMAN, Mr. DAVIS of Illinois, and Mr. TANNER.
H.R. 507: Mr. PATRICK MURPHY of Pennsylvania, Ms. NORTON, Mr. WAMP, Mr. CONAWAY, Mr. GONZALEZ, Mr. BERMAN, Mr. BARTLETT of Maryland, Mr. CARNAHAN, Mr. JEFFERSON, Ms. HERSETH SANDLIN, Mr. GILLMOR, and Mr. SNYDER.
H.R. 552: Mr. ABERCROMBIE and Mr. BOSWELL.
H.R. 566: Ms. KAPTUR and Mr. SERRANO.
H.R. 620: Mr. MOORE of Kansas.
H.R. 660: Mr. WEINER and Mr. SMITH of Texas.
H.R. 676: Mr. BECERRA.
H.R. 695: Ms. ZOE LOFGREN of California.
H.R. 748: Mr. BARROW, Mr. TURNER, Mr. MILLER of North Carolina, Mr. HINOJOSA, and Ms. LINDA T. SANCHEZ of California.
H.R. 808: Mr. STARK.
H.R. 861: Mr. ADERHOLT and Mr. REHBERG.
H.R. 871: Mrs. MALONEY of New York.
H.R. 891: Mr. FRELINGHUYSEN.
H.R. 898: Mr. BISHOP of Georgia.
H.R. 900: Mr. CUMMINGS, Mr. DAVIS of Alabama, and Mr. BISHOP of Utah.
H.R. 923: Mr. SMITH of Texas, Ms. ZOE LOFGREN of California, and Mr. SHERMAN.
H.R. 927: Mr. TOWNS and Mr. PICKERING.
H.R. 957: Mr. BROWN of South Carolina and Mr. BUYER.
H.R. 969: Mr. MCGOVERN, Ms. HIRONO, Mr. CONYERS, Mr. MEEK of Florida, Mr. LARSON of Connecticut, Mr. HALL of New York, Mr. BRALEY of Iowa, Mr. VAN HOLLEN, Ms. CLARKE, Mr. FARR, and Mr. GEORGE MILLER of California.
H.R. 980: Mr. TURNER, Mr. BOREN, Mr. JEFFERSON, and Mr. HALL of New York.
H.R. 1023: Mr. POE, Ms. SUTTON, Mr. LATHAM, Mr. UDALL of Colorado, Mr. LATOURETTE, Mr. ROGERS of Michigan, Ms. JACKSON-LEE of Texas, Mr. GRAVES, Mr. DAVIS of Illinois, Mr. GRIJALVA, Mr. LARSEN of Washington, Ms. GINNY BROWN-WAITE of Florida, Mr. WALSH of New York, Mr. MARCHANT, Mr. RADANOVICH, Mr. RYAN of Wisconsin, Mr. SESTAK, Mr. CULBERSON, Mr. BOYD of Florida, and Ms. PRYCE of Ohio.
H.R. 1029: Mr. CARNAHAN and Mr. LINCOLN DAVIS of Tennessee.

H.R. 1061: Mr. MCGOVERN.

H.R. 1063: Mr. INGLIS of South Carolina.

H.R. 1069: Mr. AL GREEN of Texas.

H.R. 1070: Mr. DAVIS of Illinois.

H.R. 1127: Mr. COOPER and Mrs. EMERSON.

H.R. 1142: Ms. SOLIS, Mr. DOYLE, and Mr. LEWIS of Georgia.

H.R. 1154: Mr. BRADY of Pennsylvania, Ms. MOORE of Wisconsin, and Ms. SUTTON.

H.R. 1190: Mr. LEWIS of Georgia, Mr. LUCAS, Mr. JOHNSON of Georgia, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FATTAH, Ms. LEE, Mr. RUSH, and Ms. CORRINE BROWN of Florida.

H.R. 1193: Mr. MITCHELL, Mr. GONZALEZ, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. OBERSTAR.

H.R. 1222: Mr. DAVIS of Illinois.

H.R. 1223: Mr. DAVIS of Illinois.

H.R. 1280: Mr. RANGEL.

H.R. 1295: Mr. JINDAL.

H.R. 1343: Ms. HARMAN, Mr. SMITH of Nebraska, Mr. CARNEY, Mr. BISHOP of Georgia, and Mr. BOOZMAN.

H.R. 1350: Mr. KUCINICH.

H.R. 1357: Mr. BROWN of South Carolina, Mr. HENSARLING, Mr. BUYER, and Mr. TIBERI.
H.R. 1460: Mrs. GILLIBRAND, Mr. MEEK of Florida, Ms. HIRONO, and Mr. BRADY of Pennsylvania.

H.R. 1524: Mr. ALLEN.

H.R. 1532: Mr. SPRATT and Mr. LARSEN of Washington.

H.R. 1537: Mr. GILCHREST and Ms. HARMAN.

H.R. 1567: Mr. DOGGETT and Mr. POMEROY.

H.R. 1582: Mr. PATRICK MURPHY of Pennsylvania.

H.R. 1644: Mr. DICKS, Mr. REICHERT, Mr. ABERCROMBIE, Mr. LIPINSKI, Mr. LARSEN of Washington, and Ms. BALDWIN.

H.R. 1709: Mr. BISHOP of New York, Mr. WEXLER, Mr. MILLER of North Carolina, and Mr. MANZULLO.

H.R. 1713: Ms. KILPATRICK, Mr. PAYNE, Mr. BISHOP of Georgia, Mr. CONYERS, Mr. GUTIERREZ, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1728: Mr. ALLEN, Mrs. MALONEY of New York, and Mr. SERRANO.

H.R. 1730: Mr. TANNER.

H.R. 1738: Mrs. MCCARTHY of New York and Mr. COHEN.

H.R. 1759: Mr. MCCOTTER and Mr. PATRICK MURPHY of Pennsylvania.

H.R. 1801: Mr. PICKERING.

H.R. 1809: Ms. HIRONO.

H.R. 1810: Mr. PASCRELL.

H.R. 1823: Mr. MCCAUL of Texas, Mr. FORBES, Mr. WALSH of New York, and Mr. BARTLETT of Maryland.

H.R. 1924: Mr. LARSON of Connecticut and Mr. BAKER.

H.R. 1926: Mr. RANGEL and Mr. RUSH.

H.R. 1947: Mr. CAPUANO and Mr. DEFazio.

H.R. 1977: Mr. CAMPBELL of California.

H.R. 2005: Mr. WILSON of Ohio and Mr. CONYERS.

H.R. 2014: Mr. TOM DAVIS of Virginia.

H.R. 2015: Mr. YARMUTH, Mr. MEEKS of New York, and Ms. SOLIS.

H.R. 2017: Mr. COHEN and Mr. MEEKS of New York.

H.R. 2040: Ms. DELAUNO and Mr. WYNN.

H.R. 2053: Mr. GONZALEZ and Mr. LAMPSON.

H.R. 2054: Mr. MCINTYRE.

H.R. 2060: Mr. SHUSTER and Mr. JORDAN.

H.R. 2066: Ms. HARMAN and Mrs. MCCARTHY of New York.

H.R. 2075: Mr. KILDEE.

H.R. 2095: Mr. MOLLOHAN and Mr. BRALEY of Iowa.

H.R. 2102: Mr. WALBERG, Mr. RUPPERSBERGER, Mr. KENNEDY, Mr. MURPHY of Connecticut, Mr. LAMPSON, Mr. MEEKS of New York, Mr. ROTHMAN, Mr. BUTTERFIELD, and Mr. ORTIZ.

H.R. 2116: Mr. LEWIS of Kentucky, Mr. BRADY of Texas, Mr. LATOURETTE, Ms. SCHAKOWSKY, and Mr. KANJORSKI.

H.R. 2125: Mr. MOLLOHAN.
H.R. 2139: Mr. SHERMAN, Mr. SCOTT of Georgia, Mr. BOSWELL, Mr. BOYD of Florida, Mr. RAHALL, Mr. CLEAVER, Mr. CALVERT, Mr. DAVIS of Kentucky, Mr. McHENRY, and Mr. PEARCE.

H.R. 2165: Mr. OLVER, Ms. WOOLSEY, Ms. ZOE LOFGREN of California, Ms. HARMAN, Mr. CRAMER, Mr. BOREN, Mrs. GILLIBRAND, Mrs. LOWEY, Mr. PATRICK J. MURPHY of Pennsylvania, Ms. VELÁZQUEZ, and Mr. RYAN of Ohio.
H.R. 2215: Mr. DELAHUNT and Mr. McNERNEY.

H.R. 2216: Ms. ZOE LOFGREN of California and Mr. HASTINGS of Florida.

H.R. 2217: Ms. ZOE LOFGREN of California and Mr. HASTINGS of Florida.

H.R. 2238: Mr. McDERMOTT.

H.R. 2255: Mr. INSLEE.

H.R. 2265: Ms. WOOLSEY.

H.R. 2274: Mr. CANTOR, Mr. RUPPERSBERGER, Ms. HARMAN, Mr. CRENSHAW, Mr. WELLER, Mr. KIRK, Mr. JOHN-SON of Georgia, and Mr. LOBIONDO.

H.R. 2286: Mr. BILBRAY and Mr. FEENEY.

H.R. 2290: Mr. KIND.

H.R. 2295: Mr. MELANCON, Mr. DOGGETT, Ms. HERSETH SANDLIN, Mr. JONES of North Carolina, Mr. MOORE of Kansas, Mr. BRADY of Pennsylvania, Mr. RUPPERSBERGER, Mrs. BOYDA of Kansas, Mr. DONNELLY, Mr. LEVIN, and Mr. POMEROY.

H.R. 2304: Mr. MILLER of North Carolina.

H.R. 2332: Mr. BUYER and Mr. HENSARLING.

H.R. 2365: Mr. MILLER of North Carolina and Mr. PENCE.

H.R. 2366: Mr. WYNN.

H.R. 2407: Mr. BROWN of South Carolina, Mr. AL GREEN of Texas, and Mr. YOUNG of Florida.

H.R. 2421: Mr. MEEKS of New York.

H.R. 2453: Mr. MATHESON.

H.R. 2473: Mrs. BOYDA of Kansas.

H.R. 2478: Mr. MILLER of North Carolina.

H.R. 2484: Mr. FILNER.

H.R. 2508: Mr. BOOZMAN.

H.R. 2514: Mr. KANJORSKI.

H.R. 2580: Mr. BURTON of Indiana.

H.R. 2593: Mr. CUELLAR, Mr. FILNER, and Mr. RODRIGUEZ.

H.R. 2596: Mr. BISHOP of New York, Ms. MOORE of Wisconsin, Mr. WYNN, Mr. MILLER of North Carolina, Mrs. CAPPS, Mrs. MCCARTHY of New York, Mr. FARR, Mr. DAVIS of Illinois, and Mr. MCGOVERN.

H.R. 2604: Mr. MCGOVERN, Mr. WAXMAN, Ms. MCCOLLUM of Minnesota, Mrs. DAVIS of California, and Mr. BERMAN.

H.R. 2617: Mr. COHEN and Mr. MEEKS of New York.

H.R. 2630: Mr. SCOTT of Georgia and Mr. BISHOP of New York.

H.R. 2633: Mr. PATRICK MURPHY of Pennsylvania.

H.R. 2640: Mr. ROSS and Mrs. CHRISTENSEN.

H.R. 2669: Ms. HIRONO, Mr. HARE, Ms. CLARKE, Ms. WOOLSEY, Mrs. DAVIS of California, and Mr. SARBANES.

H.R. 2677: Mr. BONNER, Mr. POMEROY, Mr. FORTUÑO, Mr. McHUGH, and Mr. LATOURETTE.

H.J. Res. 12: Mr. ROYCE and Mr. WALDEN of Oregon.

H. Con. Res. 75: Mr. KIRK, Mr. COHEN, and Mr. McNERNEY.

H. Con. Res. 108: Mr. FRANK of Massachusetts, Mr. JEFFERSON, and Mr. ROGERS of Alabama.

H. Con. Res. 162: Ms. SHEA-PORTER.

H. Res. 54: Mr. PETRI.

H. Res. 67: Mr. TIAHRT.

H. Res. 231: Mr. RYAN of Wisconsin, Mr. COBLE, and Mr. WOLF.

H. Res. 232: Mrs. JO ANN DAVIS of Virginia, Mr. PLATTS, and Mr. McCOTTER.

H. Res. 282: Mr. REICHERT, Mr. DAVIS of Alabama, Mr. KANJORSKI, and Mrs. MILLER of Michigan.

H. Res. 356: Mr. PALLONE.

H. Res. 415: Mr. FALCONEVAEGA.

H. Res. 417: Mr. ARCURI.

H. Res. 445: Mr. GONZALEZ.

H. Res. 467: Mr. FOSSELLA.

H. Res. 482: Mr. WALSH of New York.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

49. The SPEAKER presented a petition of the City of Santa Cruz, California, relative to a petition advocating for funding for the National Marine Sanctuary Program; to the Committee on Natural Resources.

50. Also, a petition of the California State Lands Commission, relative to a Resolution expressing support for Senate Bill 151, which would prohibit new oil and gas leases in federal waters off California; to the Committee on Natural Resources.

51. Also, a petition of the California State Lands Commission, relative to a Resolution expressing support for H.R. 1187; to the Committee on Natural Resources.

52. Also, a petition of the Santa Fe County Commission, New Mexico, relative to Resolution No. 2007-45 opposing the United States Citizenship and Immigration Services (USCIS) Fee Increase; to the Committee on the Judiciary.

53. Also, a petition of the Town of Woodstock, New York, relative to Resolution No. 171-07 requesting an investigation of the activities of President George W. Bush and Vice President Richard B. Cheney to the end that they may be impeached and removed from office; to the Committee on the Judiciary.

54. Also, a petition of the Town of Shelburne, Massachusetts, relative to a Resolution calling upon the United States House of Representatives to investigate charges and vote to impeach President George W. Bush and Vice President Richard B. Cheney; to the Committee on the Judiciary.

55. Also, a petition of the Town of Colrain, Massachusetts, relative to a Resolution calling upon the United States House of Representatives to investigate charges and vote to impeach President George W. Bush and Vice President Richard B. Cheney; to the Committee on the Judiciary.

56. Also, a petition of the Town of Leverett, Massachusetts, relative to a Resolution requesting the investigation of the activities of President George W. Bush and Vice President Richard B. Cheney to the end that they may both be impeached and removed from office; to the Committee on the Judiciary.

57. Also, a petition of the County Board of Shelby, Illinois, relative to Resolution 2003-21 requesting that legislation not be supported that would adversely effect the Second Amendment, the Right to Keep and Bear Arms; to the Committee on the Judiciary.

58. Also, a petition of Mr. Cecil Ray Taylor, a citizen of Independence, Missouri, relative to petitioning the Congress of the United States for action on possible misconduct or disability on the part of Missouri Judges or Court Commissioners; to the Committee on the Judiciary.

59. Also, a petition of Twelve Mayors of Ohio and Kentucky, relative to a Resolution calling on the Congress of the United States to remove the "Tiahrt Amendment" illegal gun trace restrictions; to the Committee on the Judiciary.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2638

OFFERED BY: Mr. PEARCE

AMENDMENT No. 128: Page 6, line 5, after the first dollar amount, insert "(increased by \$125,000,000)".

Page 22, line 9, after the dollar amount, insert "(reduced by \$125,000,000)".

Page 22, line 13, after the dollar amount, insert "(reduced by \$125,000,000)".

Page 22, line 14, after the dollar amount, insert "(reduced by \$125,000,000)".

H.R. 2638

OFFERED BY: Mr. PEARCE

AMENDMENT No. 129: At the end of the bill (before the short title), insert the following:

SEC. 544. None of the funds made available in this Act may be used to fill FTE positions within the Transportation Security Agency until the number of Customs and Border Patrol agents has reached the congressionally authorized level."

H.R. 2638

OFFERED BY: Mr. PEARCE

AMENDMENT No. 130: At the end of the bill (before the short title), insert the following new section:

SEC. 544. None of the funds made available in this Act may be used, either directly or indirectly, for projects or activities occurring on land obtained after June 23, 2005, through eminent domain by a State, unit of local government, or the Federal government, unless the owner of the land was paid an amount as just compensation that was triple the value of the land as appraised by an independent licensed appraiser or real estate agent at either the time that the land was condemned or the time that the land was obtained, whichever is higher.

H.R. 2638

OFFERED BY: Mr. ROYCE

AMENDMENT No. 131: Page 11, line 24, insert before the first comma the following: "(in accordance with clauses (i), (ii), (iii), (iv), and (v) of section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996)".

Page 11, line 25 strike ":" and all that follows through page 16, line 2 and insert ".".

H.R. 2641

OFFERED BY: Mr. CONAWAY

AMENDMENT No. 5: At the end of the bill (before the short title), insert the following:

SEC. _____. It is the sense of the House of Representatives that any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.

H.R. 2641

OFFERED BY: Mrs. TAUSCHER

AMENDMENT No. 6: Page 27, line 4, after "expended" insert the following: ": Provided, That \$173,250,000 of the amounts provided are available for nuclear weapons dismantlement activities at Department of Energy facilities authorized for such activities, of which \$91,000,000 is for the Pit Disassembly and Conversion Facility Project at the Savannah River Site, South Carolina".

H.R. 2641

OFFERED BY: Ms. BERKLEY

AMENDMENT No. 7: At the end of the bill, before the short title, insert the following new section:

SEC. 503. None of the funds made available by this Act may be used to administer the "Yucca Mountain Youth Zone" website.

H.R. 2642

OFFERED BY: Mrs. DRAKE

AMENDMENT No. 6: Page 44, after line 22, insert the following new section:

SEC. 223. Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the status of the number of pending disability benefit claims and the actions taken by the Secretary to reduce processing time for veterans disability claims.

H.R. 2642

OFFERED BY: MR. CONAWAY

AMENDMENT NO. 7: At the end of the bill (before the short title), insert the following:

SEC. _____. It is the sense of the House of Representatives that any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.

H.R. 2642

OFFERED BY: MR. FRANKS OF ARIZONA
AMENDMENT NO. 8: Page 19, beginning on line 15, strike section 125.

H.R. 2643

OFFERED BY: MR. CONAWAY
AMENDMENT NO. 4: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. It is the sense of the House of Representatives that any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.

H.R. 2643

OFFERED BY: MR. CONAWAY
AMENDMENT NO. 5: Strike section 104.

H.R. 2643

OFFERED BY: MR. CONAWAY

AMENDMENT NO. 6: Strike section 105.

H.R. 2643

OFFERED BY: MS. EDDIE BERNICE JOHNSON OF TEXAS

AMENDMENT NO. 7: Page 111, after line 17, insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available under this Act may be used to promulgate or implement the Environmental Protection Agency proposed regulations published in the Federal Register on January 3, 2007 (72 Fed. Reg. 69).